



H. Gravelot delin. et sculp.

*BOCCHUS delivering JUGURTHA
into the Hands of SYLLA.*

Published March 1, 1743 by J. & P. Knapton.

THE
ROMAN HISTORY

FROM THE
FOUNDATION OF ROME
TO THE
BATTLE of ACTIUM:

THAT IS,

To the End of the COMMONWEALTH

*By Mr ROLLIN, late Principal of the University of
Paris, Professor of Eloquence in the Royal College, and
Fellow of the Royal Academy of Inscriptions and Belles
Lettres.*

VOL. IX.

*Revised, and compleated by Mr CREVIER, Professor
of Rhetorick in the College of Beauvais.*

Translated from the FRENCH.

THE SECOND EDITION.

Illustrated with Maps and Copper-Plates.

-LONDON:

Printed for J. and P. KNAPTON, in Ludgate-Street.
MDCC LIV.

Editor's Advertisement.

THE public are now going entirely to perceive, that it has lost Mr ROLLIN. A great part of this volume is indeed of his composing: but besides, that the last fragments of an author, whose work has been interrupted by death, are necessarily the least finished. Mr ROLLIN had left voids, which I was obliged to fill up; and before the end of the volume, my guide quits me, and I am left absolutely to myself.

Thus (*a*) the death of Mr ROLLIN, without being untimely or præmature, is no less to be lamented by the public. And indeed it may be called præmature, according to Pliny the younger's thoughts, who conceives (*b*) the death of every one to be so, that meditates works worthy of immortality. "For, adds
 " he, those, who, devoted to pleasure, live
 " in a manner from day to day, see every day
 " the accomplishment of their reason for de-
 " firing to live. But as to those, who have

(*a*) Mors quam matura, tam acerba. *Liv.* vi. 1.

(*b*) Mihi videtur acerba semper & immatura mors eorum, qui immortale aliquid parant. Nam qui voluptatibus dediti, quasi in diem vi-

vunt; vivendi causas quotidie finiunt. Qui verò posteros cogitant, & memoriam sui operibus extendunt, his nulla mors non repentina est, ut quæ semper inchoatum aliquid abruptat. *Plin.* l. v. ep. 5.

The Editor's Advertisement.

“ posterity in view, and to perpetuate their
“ names by fine and useful works, death al-
“ ways comes too soon for them, because it
“ always interrupts something began.”

It undoubtedly was not the frivolous view of a chimerical immortality, that engaged Mr ROLLIN. More solid and Christian motives directed his labours. But it is true, he did desire to finish his ROMAN HISTORY. And I remember, that after his first illness in May 1741, when I congratulated him upon his return in health, and that, probably for a considerable number of years, which I wished might extend to the longest term of human life ; he replied with vivacity, *I should be very sorry for that. But I should desire, if it were the will of God, to live long enough to compleat my work.*

It was not the will of God. Neither his wishes, nor mine, nor those of all who love virtue and letters, were heard in that respect. It is as just as necessary to submit to the dispensations of Providence. All that I can and ought to do, is to endeavour, as much as in me lies, to imitate so dear a master, and so excellent a model.

I confess, that of all the qualities that render a writer admirable, there is not one, of which I should be so ambitious, as that amiable character of simplicity, humanity, goodness, and modesty, with which he wins the hearts of all his readers. An author of renown has however taken occasion from it to
make

The Editor's Advertisement.

make him several reproaches, which all terminate in that of having had too much deference for the authority of the ancients. I should injure Mr ROLLIN's memory, if I undertook to justify him in a point he thought for his glory. He was far from thinking, with his censurer, that it was necessary to begin the serious study of history only towards the end of the fifteenth century ; and consequently, that not only Herodotus, but Thucydides, Xenophon, Polybius, Sallust, Livy, Tacitus, and all the ancients, were to be considered as nothing. I shall say no more upon this subject. Whatever zeal I may have to oppose the attacks upon Mr ROLLIN, I choose rather to make the moderation he professed throughout his whole life, my rule : and the rather, because discourse is superfluous, where things speak themselves ; and the universal esteem of all the truly learned, as well as his less instructed readers, declares loudly not his apology, but his praise.

I therefore stop short ; and chuse to be silent the more willingly, as it would not be easy for me to keep within certain bounds, if I once indulged myself in speaking. I have only to apprize the reader of two things.

The first is, that to avoid, as much as possible, having Mr ROLLIN charged with my faults, I have pointed out the additions, in any manner considerable, that I have inserted in his text ; and have taken care to mark the exact place where his manuscript ends.

The Editor's Advertisement.

The second observation I have to make, relates to the reduction of the Greek and Roman species of coin in ours. I have conformed to Mr ROLLIN's estimate, without believing it absolutely exact, as he did not believe it himself. It is certain, that the only means to have any thing exact in this kind, is to make weight the rule. Nor are the learned without great difference of opinions in this respect. It is however the method I have followed, as the best in itself, in my edition of Livy. But we have certain ideas of weights, when the species of coin are in question : and most readers would be out of their depth, if we gave them the sums in marks, ounces, drams, and grains. I shall only observe, that Mr ROLLIN's estimate comes nearer to exactness, if we compare it with what most nations consider as the intrinsic value of gold and silver, than if we fixed it to the current value of those metals in France.

THE CONTENTS.

BOOK XXVIII.

SECT. I.

TI. Gracchus and Cornelia, father and mother of the Gracchi. Cornelia's extraordinary care of the education of her two sons. Similitude and difference of character of the two brothers. Tiberius, when very young, is elected Augur. He serves under Scipio in Africa, and afterwards in Spain under Mancinus as Quæstor. Treaty of Numantia the cause and origin of his misfortunes. Tiberius espouses the party of the People. He is elected Tribune, and revives the Agrarian laws. Complaints of the rich against him. Octavius, one of his colleagues, opposes his law. Tiberius endeavours to bring over his colleague by fair means, but ineffectually. He undertakes to have Octavius deposed, in which he succeeds. Reflexion upon that violent proceeding of Tiberius. The law for the distribution of lands is passed. Three commissioners appointed for putting it in execution. Mucius is substituted to Octavius. Tiberius persuades the People, that designs are formed against his life. He causes a decree to pass for the distribution of the estates of Attalus amongst the poorer citizens. He

C O N T E N T S.

undertakes to justify the deposition of Octavius, and to have himself continued in the office of Tribune. He is killed in the Capitol. Reflexion upon that event. The accomplices of Tiberius condemned. Seditius answer of Blossius. P. Crassus is elected Triumvir in the room of Tiberius. Scipio Nasica is sent into Asia to avoid the fury of the People. Caius Gracchus retires. Answer of Scipio Africanus upon the death of Tiberius. Census. Speech of the Censor Metellus to exhort the citizens to marry. Fury of the Tribune Atinius against Metellus. Difficulties of the distribution of lands. Scipio declares in favour of those, that were in possession of lands. He is found dead in his bed. His obsequies. Ill-timed frugality of Tubero. Scipio's remoteness from pomp. Praise of that great man. Caius applies himself to the study of eloquence. He goes to Sardinia as Quæstor. His dream. His wise conduct in Sardinia. His great reputation alarms the Senate. Turbulent designs of Fulvius. Conspiracy suppressed at Frégeilæ. Caius returns to Rome. He justifies himself entirely before the Censors. He is elected Tribune notwithstanding the opposition of the Nobles. His praise. He proposes several laws. He undertakes, and executes several publick works of importance. C. Fannius is elected Consul by the interest of Caius. Caius is chosen Tribune for the second time. He transfers the administration of justice from the Senate to the Knights. The Senate, to ruin the credit of Caius, makes Drusus, one of his colleagues, oppose him, and becomes popular itself. Caius carries a colony to Carthage. Drusus takes advantage of his absence. Caius returns to Rome. He changes his habitation. Decree of the Consul Fannius contrary to the interests of Caius. Caius quarrels with his colleagues. They prevent him from being elected Tribune for the third time. Every thing is ripe for his destruction.

C O N T E N T S.

Struction. The Consul Opimus makes the Senate take arms. Licinia exhorts her husband Caius to provide for his safety. He endeavours an accommodation ineffectually. Fulvius is killed upon mount Aventine, and his followers put to flight. Sad end of Caius. His head, upon which a price had been set, is carried to Opimius. His body is thrown into the Tiber. Temple erected to Concord. Honours rendered the Gracchi by the People. Agrarian laws of the Gracchi annulled. Retreat of Cornelia to Misenum. Fate of Opimius. Reflexion upon the Gracchi, Page 1

S E C T. II.

Wines of the Consulship of Opimius. Africa ruined by grasshoppers, and afterwards infested with a plague, occasioned by their dead bodies. Sempronius triumphs over the Japodes, and Metellus over the Dalmatians. War against the Balearians, and some States of Gallia Transalpina. Fulvius triumphs first over the Transalpine Gauls. Sextius subdues the Salluvians, and builds the city of Aix. The Allobroges, and Arverni draw the Roman arms against them. Opulence of the latter people. Embassy from the King of the Arverni to Domitius. The Allobroges and Arverni are defeated by Domitius. Great victory gained by Fabius over the same people. Perfidy of Domitius in respect to Bituitus. Roman province in the Gauls. Trophies erected by the victors. Their triumphs. War against the Scordisci. Lepidus noted by the Censors for living in an house of too great a rent. Thirty-two Senators degraded by the Censors; amongst the rest Cassius Sabaco, Marius's friend. Beginnings of Scaurus. Character of his eloquence. His probity suspected in matters of gain. He had wrote his life. His Consulship. He is elected

C O N T E N T S.

elected Prince of the Senate. Good fortune of Metellus Macedonicus. Surprizing accumulation of dignities in the house of the Metelli. Three vestals suffer themselves to be corrupted. They are condemned. The orator Marcus Antonius involved in this affair, and acquitted. Temple erected to Venus VERTICORDIA. Human victims. Carbo accused by L. Crassus. Generosity of Crassus. His timidity. Single occasion on which Crassus opposes the Senate. C. Cato condemned for extortions. Scrupulous exactness of Piso in respect to a gold ring.

81

B O O K XXIX.

S E C T. I.

Preamble. Abridgment of the history of Masinissa. Praise of that Prince. Partition of his dominions after his death. Character and great qualities of Jugurtha. Micipsa, son of Masinissa, sends Jugurtha to serve at the siege of Numantia. He acquires great reputation there. Scipio sends home Jugurtha with a letter to Micipsa, full of his praises. Micipsa, at his return, adopts him. Being at the point of death, he exhorts his three sons to live in great unity. Hiempsal, the youngest son, quarrels with Jugurtha, who causes him to be killed. Adherbal the eldest, is defeated in a battle by Jugurtha, and takes refuge at Rome. Jugurtha sends Deputies to Rome, and corrupts the principal persons of the Senate. The Senate sends Commissioners to Numidia, to make a new partition of that kingdom between Jugurtha and Adherbal. Jugurtha attacks Adherbal, and ob-
liges

C O N T E N T S.

liges him to take arms. He defeats his brother's army, and besieges him in Cirta. The Senate, by their Deputies, order them to lay down their arms. Jugurtha, notwithstanding those orders, continues the siege with vigour. Adherbal writes to the Senate, to implore it's aid. Deputies are sent to Jugurtha, who conclude nothing. Adherbal surrenders, and is murdered. War is declared against Jugurtha. He sends his son as a Deputy to Rome, who is ordered to quit Italy. The Consul Calpurnius arrives in Numidia at the head of the army. Jugurtha corrupts him and also Scaurus, and makes a pretended treaty with them. Calpurnius returns to Rome, and is universally blamed. The Tribune Memmius animates the People by harangues against Jugurtha and his accomplices. L. Cassius is deputed to Jugurtha, and perswades him to go to Rome, to give an account of his conduct. Jugurtha arrives at Rome, and corrupts the Tribune C. Bæbius. Memmius interrogates Jugurtha juridically before the People. Bæbius forbids him to answer, and breaks up the assembly. Jugurtha causes Massiva to be assassinated at Rome. He receives orders to quit Rome and Italy,

113

S E C T. II.

Jugurtha eludes the attacks of the Consul Albinus. Reflection of Sallust upon the present state of Rome. Metellus is charged with the war of Numidia. He makes choice of Marius for one of his Lieutenants. On his arrival in Africa, his first care is to re-establish discipline in the army. Jugurtha sends Deputies to Metellus: who engages them to deliver up their master to him. Metellus marches his army into Numidia with great precaution. Jugurtha finding himself amused, resolves to defend himself by arms. Battle, in which that Prince

is

C O N T E N T S.

is defeated. He raises a new army. Metellus ravages the whole flat country. Jugurtha surprizes part of the Roman army. Great joy at Rome for the victory gained over Jugurtha. New vigilance of the Consul to prevent being surprized. Jugurtha continues his skirmishes. Metellus besieges Zama. During the winter-quarters he endeavours to bring over Jugurtha's confidants. The King, betrayed by Bomilcar, consents to surrender at discretion to the Romans. Deprived of every thing, he again takes up arms. Metellus is continued in the command. Jugurtha prepares for the war. The inhabitants of Vacca massacre the Roman garrison. It is put to fire and sword by Metellus. Origin of the enmity between Marius and Metellus. Beginnings of Marius. His birth. His education and character. He makes his first campaigns under Scipio Africanus, and acquires his esteem. He is created a military Tribune; and afterwards Tribune of the People. He causes a law to pass, notwithstanding the opposition of the Senate. He prevents a largess, which one of his Collegues is for giving the People. He suffers two repulses in one Day. He is chosen Prætor with great difficulty, and accused of caballing for that office. He marries Julia. His fortitude against pain. He is chosen Lieutenant General by Metellus. His conduct in that employment. Metellus refuses him permission to go to Rome to demand the Consulship, Marius decries Metellus. Conspiracy of Bomilcar against Jugurtha discovered. He is put to death. Extreme dread and trouble of Jugurtha. Metellus grants Marius his discharge. Marius is elected Consul. The war against Jugurtha is confided to his care. Cicero's opinion of the means used by Marius for attaining the Consulship. Jugurtha's perplexities. Battle, in which he is defeated. He retires to Thala,

C O N T E N T S.

and quits it soon after. The place is besieged, and taken by the Romans. Jugurtha arms the Gæ-tuli. He engages Bocchus to declare against the Romans. The two Kings march towards Cirta. Metellus repairs thither also. Grief of Metellus, when he receives advice, that Marius is appointed to succeed him. He holds a conference with Bocchus by Deputies.

148

S E C T. III.

Marius prepares every thing for his departure. He harangues the People. He sets out from Rome, and arrives in Africa. Metellus is perfectly well received at Rome. The honour of a triumph is granted him. Upon an accusation of extortion, his judges refuse to examine the journal of his administration. Marius begins by forming, and inuring his troops for war. He besieges and takes Capsa, a place of importance. He besieges a castle, which was thought impregnable, and is almost discouraged by the difficulties he finds at it. A Ligurian climbs up the rocks, and gets to the top of the fort. He reascends it again with a small detachment given him by Marius. The detachment enters the fort, and the place is taken. Sylla arrives in the camp. Birth and character of that famous Roman. Bocchus joins Jugurtha with his troops. They attack Marius, and have some advantages at first. They are afterwards defeated and put to the rout. Marius's care in marching. New battle, in which the Romans are again victorious. Bocchus sends Deputies to Marius, and then to Rome. Marius, on the instances of Bocchus, sends Sylla to him. After much fluctuation, he delivers up Jugurtha into Sylla's hands. The latter ascribes the glory of this event to himself. Marius's triumph : miserable end of Jugurtha.

CONTENTS.

Jugurtha. DETACHED FACTS. Censorship of Scaurus. The son of Fabius Servilianus banished the city, and then put to death by his father, for his infamous conduct. The son of Fabius Allobrogicus interdicted by the Prætor. Singular character of T. Albucius. His vanity. He is condemned for extortion. Scaurus accused before the People, and acquitted not without great difficulty. The Tribune Domitius transfers the election of Pontiffs and Augurs to the People, 188

BOOK XXX.

SECT. I.

Of the Cimbri and Teutones, German nations. Incursions of those nations into different countries. They are attacked in Noricum by the Consul Carbo, and defeat him. They move into the country of the Helvetii. The Tigurini and Tugeni join them. They beat the Consul Silanus in Gaul. The Tigurini gain a great victory over the Consul L. Cassius. The Consul Cæpio plunders the gold of Toulouse. Cn. Mallius, a man of no merit, is made Consul, and sent into Gaul to support Cæpio. Dissention between Cæpio and Mallius. Aurelius Scaurus defeated and taken by the Cimbri. Terrible defeat of the Roman armies. The Cimbri resolve to march to Rome. Alarm and consternation of the Romans. Rutilius exercises and disciplines the troops perfectly. Marius is elected Consul for the second time. The Cimbri set out towards Spain. The marching of the Cimbri into Spain leaves Marius time to form his troops. Generous

CONTENTS.

nerous action of Marius. He digs a new canal for the Rhone. He is elected Consul for the third time. Sylla persuades the Marfi to enter into an alliance with the Romans. The Cimbri are defeated in Spain. Marius is elected Consul for the fourth time. The Cimbri and Teutones separate, and the Consuls also. Marius declines fighting with the Teutones. Martha, a Syrian woman, given out by Marius for a prophetess. Marius refuses a single combat. The Teutones continue their march, and advance towards the Alps. They are entirely defeated by Marius near the city of Aix. The Roman army presents Marius with the spoils, who causes them to be sold at a very low price. Marius, whilst employed at a sacrifice, receives advice that he is elected Consul for the fifth time. The Cimbri enter Italy. They force the pass of the Adige. Marius joins his army with that of Catulus. Battle fought near Vercellæ. The Cimbri are entirely defeated. The news of this victory occasions incredible joy at Rome. Marius triumphs jointly with Catulus. Misfortune of Cæpio. He makes himself agreeable to the Senate by a law, which restores the administration of justice in part to that order. He is divested of command, and his estate is confiscated. He is afterwards excluded the Senate. He is again condemned by the People for plundering the gold of Toulouse. Consequences of that sentence, 222

SECT. II.

Insurrections of the slaves in Italy, excited by Vettius the Roman Knight. Occasion of the revolt of the slaves in Sicily. Six thousand revolted slaves chuse Salvius for their King. They form an army of twenty thousand foot, and two thousand horse.

C O N T E N T S.

horse. Another revolt of the slaves, of which Athenion is leader. Salvius, who had taken the name of Tryphon, unites all the forces of the rebels under his command. Lucullus is sent into Sicily, and gains a great victory over the slaves. But he neglects to take advantage of it. Servilius succeeds Lucullus. Tryphon dies, and Athenion is chosen King in his stead. The Consul M'. Aquillius terminates the war. Parricide committed by Publicius Malleolus. Punishment of parricides. Marius by intrigues and money obtains a sixth Consulship. Origin of the hatred of Saturninus for the Senate. He becomes Tribune of the People, and attaches himself to Marius. Censorship of Metellus Numidicus, and violent contests between him and Saturninus. The latter insults the Ambassadors of Mithridates. He is cited to a trial and acquitted. Having killed Nonius, he is elected Tribune for the second time in his stead. He proposes, and passes a new Agrarian law. Vile fraud of Marius. Metellus, of all the Senators, refuses to take an unjust oath. He is banished. Insolence of Saturninus. Unworthy conduct of Marius to inflame divisions more and more. New excesses of Saturninus. All the orders of the Commonwealth unite against him: he is put to death. His memory is detested. The faction of Marius prevents the return of Metellus. Glorious recal of Metellus. Marius quits Rome, to avoid being witness of the return of Metellus,

 BOOK THE TWENTY-EIGHTH.

 THE
 ROMAN HISTORY.

THIS book includes about twenty years, from the 619th to the 638th year of Rome, and something more. It contains principally the history of the Gracchi, some wars abroad, the most important of which is that whereby the Romans form a province in the Gauls; and various affairs of the city.

S E C T. I.

History of the GRACCHI.

Ti. Gracchus and Cornelia, father and mother of the Gracchi. Cornelia's extraordinary care of the education of her two sons. Similitude and difference of character of the two brothers. Tiberius, when very young, is elected Augur. He serves under Scipio in Africa, and afterwards in Spain under Mancinus as Quæstor. Treaty of Numantia the cause and origin of his misfortunes. Tiberius espouses the party of the People. He is elected Tribune, and revives the Agrarian laws. Complaints of the Rich against him. Octavius, one of his colleagues,

VOL. IX. B legues,

legues, opposes his law. Tiberius endeavours to bring over his colleague by fair means, but ineffectually. He undertakes to have Octavius deposed, in which he succeeds. Reflexion upon that violent proceeding of Tiberius. The law for the distribution of lands is passed. Three commissioners appointed for putting it in execution. Mucius is substituted to Octavius. Tiberius persuades the People, that designs are formed against his life. He causes a decree to pass for the distribution of the estates of Attalus amongst the poorer citizens. He undertakes to justify the deposition of Octavius, and to have himself continued in the office of Tribune. He is killed in the Capitol. Reflexion upon that event. The accomplices of Tiberius condemned. Seditious answer of Blossius. P. Crassus is elected Triumvir in the room of Tiberius. Scipio Nasica is sent into Asia to avoid the fury of the People. Caius Gracchus retires. Answer of Scipio Africanus upon the death of Tiberius. Census. Speech of the Censor Metellus to exhort the citizens to marry. Fury of the Tribune Atinius against Metellus. Difficulties of the distribution of lands. Scipio declares in favour of those, that were in possession of lands. He is found dead in his bed. His obsequies. Ill-timed frugality of Tubero. Scipio's remoteness from pomp. Praise of that great man. Caius applies himself to the study of eloquence. He goes to Sardinia as Quæstor. His dream. His wise conduct in Sardinia. His great reputation alarms the Senate. Turbulent designs of Fulvius. Conspiracy suppressed at Fregellæ. Caius returns to Rome. He justifies himself entirely before the Censors. He is elected Tribune notwithstanding the opposition of the Nobles. His praise. He proposes several laws. He undertakes, and executes several publick works of importance. C. Fannius is elected Consul by the interest of Caius. Caius is chosen



chosen Tribune for the second time. He transfers the administration of justice from the Senate to the Knights. The Senate, to ruin the credit of Caius, makes Drusus, one of his colleagues, oppose him, and becomes popular itself. Caius carries a colony to Carthage. Drusus takes advantage of his absence. Caius returns to Rome. He changes his habitation. Decree of the Consul Fannius contrary to the interests of Caius. Caius quarrels with his colleagues. They prevent him from being elected Tribune for the third time. Every thing is ripe for his destruction. The Consul Opimus makes the Senate take arms. Licinia exhorts her husband Caius to provide for his safety. He endeavours an accommodation ineffectually. Fulvius is killed upon mount Aventine, and his followers put to flight. Sad end of Caius. His head, upon which a price had been set, is carried to Opimius. His body is thrown into the Tiber. Temple erected to Concord. Honours rendered the Gracchi by the People. Agrarian laws of the Gracchi annulled. Retreat of Cornelia to Misenum. Fate of Opimius. Reflexion upon the Gracchi.

THE troubles occasioned by the Gracchi are a mournful epocha in the Roman History. These were the first civil contests, that were terminated by violence and murder, and in which the blood of Romans was shed by Romans: a fatal example, that was soon revived and multiplied, that brought on civil wars, proscriptions, and at length a change of government, and the fall of a liberty, that no longer subsisted, except to give the Commonwealth tyrants under the name of defenders.

THE TWO BROTHERS, Tiberius and Caius Gracchus, whom for brevity-sake I shall usually call the one Tiberius and the other Caius, were

Tib. Gracchus and Cornelia, father and mother of the two Gracchi. Plut. in the Gracch.

the sons of Tiberius Gracchus, who, though he had been Censor, and twice Consul, and had triumphed as often, derived more lustre from his personal virtues, than from all his dignities. His merit, which shone out early, acquired him an illustrious match. He married Cornelia, daughter of the great Scipio, Hannibal's conqueror. We have seen in what manner that marriage took place, in effect of the generosity, with which Ti. Gracchus, notwithstanding an antient enmity, declared warmly in favour of the Scipio's, in a persecution excited against them by the Tribunes of the People.

*Extraordinary care
taken by
Cornelia
in the edu-
cation of
her sons.*

Cornelia, after the death of her husband, who left her twelve children, applied herself to the care of her family with a wisdom and prudence, that acquired her great esteem. Plutarch tells us, that Ptolomy King of Egypt (this must have been Ptolomy Physcon) would have divided his crown with her, and sent to demand her in marriage; but she refused it. He would certainly have been an husband very unworthy of so accomplished a spouse. There is no great probability in the fact. She lost most of her children in her widowhood. She had only one daughter left, Sempronia, whom she married to the second Scipio Africanus; and two sons, Tiberius and Caius, whom she brought up with so much care, that, though they were generally acknowledged to have been born with the most happy geniusses and dispositions, it was judged, that they were still more indebted to education than to nature. The answer she gave a Campanian lady concerning them, is very famous. That lady, who was very rich, and still fonder of pomp and shew, after having displayed in a visit she made her, her diamonds, pearls, and richest jewels, asked Cornelia earnestly to let her see her jewels also. Cornelia dextrously turned the conversation

versation to another subject, to wait the return of her sons, who were gone to the publick schools. When they returned, and entered their mother's apartment, she said to the Campanian lady, pointing to them with her hand, *These are my jewels.* A very memorable saying, that includes great instruction for ladies and mothers.

The Gracchi distinguished themselves exceedingly amongst the young Romans of their time, by the talent of speaking; and it has been observed, that they were indebted for it to the particular care their mother (a) Cornelia took to retain the best masters then at Rome about them, to teach them the Greek language, polite learning, and all the sciences. She spoke her own tongue with great purity; and the language of her children argued it, and did honour to her, whose maternal cares seemed to have had the forming of their bodies less in view, than that of their style. (b) Her letters are mentioned with praise by Cicero and Quintilian. It is but justice to the ladies to own, that they excel in the epistolary style, which ought to be simple, clear, and natural, with elegance and delicacy.

Cornelia had abundance of other great qualities, for which she was highly respected. Juvenal ascribes an air of pride and haughtiness to her, which, in his sense, took much from her merit, when he says, “ That a simple citizen of Venusia was “ preferable as a wife, to Cornelia, the mother of

(a) Gracchus diligentia Corneliae matris à puero doctus, & Græcis literis eruditus. Nam semper habuit exquisitos e Græcia magistros. Cic. in Brut, 104.

(b) Legimus epistolas Corneliae matris Gracchorum. Apparet filios non tam in gremio

educatos, quam in sermone matris. Id. ibidem, 211.

Gracchorum eloquentiam multum contulisse accepimus Corneliam matrem, cujus doctissimis sermo in posteros quoque est epistolis traditus. Quintil. l. 1.

“ the Gracchi, if the latter, with great virtues,
 “ brought along with her an haughty brow, and
 “ was for reckoning the triumphs of her family
 “ into her portion.”

*Malo Venissimam, quam te, Cornelia, mater
 Gracchorum, si cum magnis virtutibus affers
 Grande supercilium, & numeras in dote triumphos.*

*Similitude
 and difference of
 character
 of the two
 brothers.
 Plut.*

We must return to her children. Through the resemblance of these two brothers in respect to courage, temperance, liberality, and magnanimity, some evident differences were however observed. First as to feature, look, walk, and all motions, Tiberius was calmer and more composed, Caius more warm and vehement; so that when they spoke in publick, the former always kept in the same place, with a grave and sedate countenance; the other was the first of the Romans who introduced motion in the tribunal, going from one side to the other, and using strong and violent gestures. This diversity was also observed in the character of their eloquence, which was extremely warm and vehement in Caius, and in Tiberius mild, and fitter to move compassion. The diction of the latter was pure and extremely elaborate; that of Caius free and bold. The same difference was obvious again at their tables, and in their common expences. Tiberius was simple and frugal: Caius, in comparison with other Romans, was sober and temperate; but with his brother, he seemed to give into the new taste for pomp and magnificence.

Their manners were no less different in all other respects. Tiberius was mild, moderate, and polite; Caius rough, violent, passionate, abandoning himself in his harangues to excessive gusts of anger, which he could not keep in, and to terms and tones of voice, that suited such emotions.

To (a) remedy this inconvenience, whenever he spoke in publick, he had a servant behind him with a pipe, who when he perceived by the tone of Caius's voice, that he grew over vehement, and abandoned himself to his fire, he sounded a soft note upon his instrument, which brought back the orator to a less vehement pronounciation. On the contrary, when his utterance grew weak and languid, the same musician touched an higher and more lively note, which, to use the expression, awakened and re-animated him. (b) It was a very extraordinary thing that Caius, in a publick assembly, in the midst of the turbulent actions, that spread terror amongst the Patricians, and in which he had every thing to fear for himself, should hear the servant, that sounded the pipe, and raise or lower his voice, according to the note given him.

Tiberius was nine years older than his brother. Hence it was, that there was a considerable space of time between their entrance into publick affairs. And this, as Plutarch observes, contributed most to the ruin of all their undertakings and designs; because they did not flourish together, and could not unite their power, which would have become very great, and perhaps irresistible in effect.

Tiberius, almost as soon as he assumed the robe of manhood, acquired so much reputation and esteem, that he was thought worthy of being

Tiberius, whilst very young, is elected Augur.

(a) C. Gracchus — quoties apud populum concionatus est, servum post se musicæ artis peritum habuit, qui occultè eburneâ fistulâ pronounciationis ejus modos formabat, aut nimis remissos excitando, aut plus justo concitatos revocando: quia ipsum calor & impetu-
tus actionis attentum hujusce temperamenti æstimatorem esse non patiebatur. *Val. Max. viii. 10. Vide Cic. de Orat. iii. 225.*
(b) Hæc ei cura inter turbidissimas actiones, vel terrenti optimates, vel timenti, fuit. *Quintil. l. 8.*

*He serves
in Africa
under Sci-
pio.*

elected into the college of Augurs, much more upon account of his virtue than on that of his high birth. And Ap. Claudius, who had been Consul and Censor, and was actually Prince of the Senate, to unite him to his family, of which he was very desirous, gave him his daughter in marriage. He served in Africa under Scipio, who had married his sister: and, as he lived with him, he had a nearer opportunity of studying that great model, so capable of exciting his emulation. He took the advantage of it, and gave proofs of his valour and good conduct. He had the glory of being the first who mounted the wall of Carthage. His good nature, and engaging manners, acquired the love of the troops, and when he quitted the army, he was highly regretted by every body.

*And after-
wards in
Spain un-
der Man-
cinus as
Quæstor.*

When he was Quæstor, he had Spain for his province; and the unfortunate Mancinus for his General, whose disgrace gave Tiberius occasion to augment his own reputation, in shewing not only his activity and understanding in publick affairs, but a respect, which would not suffer him ever to forget what he owed his Consul, whilst Mancinus himself, under the load of his misfortunes, almost forgot who he was. We have seen what confidence the Numantines reposed in him, and in what manner he concluded a treaty with them, which saved the Roman army: a fatal event to Tiberius, which, as we shall see, proved the cause and origin of all his misfortunes.

*Treaty of
Numantia
the cause
and origin
of all his
misfor-
tunes.*

This treaty was received and interpreted differently at Rome, according to diversity of interests. The relations and friends of those, who had served in this war, when Tiberius returned to Rome, assembled in crowds about him, crying out, that they were obliged to him alone for the lives of twenty thousand citizens; and imputing all that was shameful in the treaty to the General. On another

another side, those who considered the peace he had made as shameful and unworthy of the Romans, (and these were the persons of the greatest power and authority in the Senate) were on this occasion for following the example of their ancestors, who, in a like case, sent back to the Samnites not only the Generals, but all those who had any share in the treaty of Caudium, Quæstors, Tribunes and other officers; thereby making all the odium of violated oaths and breach of faith fall upon their heads. The same did not take place on this occasion. The people decreed, that only the Consul Mancinus should be delivered up to the Numantines, and exempted all the rest from punishment in favour of Tiberius.

Proud of this kind of victory over the Senate, *Tiberius* and angry, that their body had declared against *attaches* him, (a) he renounced the party of the Old and *himself to* the Great, to whom his father had always adhered, *the party* and gave himself up entirely to the People, study- *of the Peo-* ing to please them by every means, in order to weaken and ruin the credit of those, whom he considered as his enemies. For this purpose he conceived a method, which, far from having any thing odious in it, seemed only the effect of his zeal for justice and the publick good, and might really have been so to a certain degree.

On the first occasion I had to speak of the A-*Vol. 1.* grarian laws, I said, that it had been a custom with the Romans from the earliest times, when they had conquered a neighbouring people, to con-

(a) Ti. Graccho invidia Numantini fœderis, cui feriendo, quæstor C. Mancini Cos. cum esset, interfuerat et in eo fœdere improbando Senatûs severitas dolori et timori fuit: istaque res illum fortem & cla-
rum virum à gravitate patrum desciscere coegit. *De Harusp. resp. 43.*
Ad quem [Tribunatum] ex invidia fœderis Numantini bonis iratus accesserat. *Brut. 103.*

Vol. II.

fiscate part of their lands, and annex them to the territory of the Commonwealth. Some of these lands were sold: others were distributed amongst the poor citizens, who were sent thither in colonies: and some were let for the use of the publick. By this regulation the Commonwealth provided for the subsistence and multiplication of her citizens. But in process of time the Great and Rich possessed themselves of almost all these lands, that were originally the States, either by purchase, or by having such adjudged to them on account of paying a greater quit-rent, on which small ones had been laid; or lastly, by violence. Several regulations had been made to put a stop to these usurpations. The Tribunes Sextius and Licinius had passed a law, by which it was prohibited to possess more than five hundred acres of land. But avarice, industrious to invent new methods for eluding the force of laws, had always broke thro' these feeble barriers. The Rich at first caused these lands to be cultivated by the people of the country, who were free: but as these free farmers were often obliged, in time of war, to carry arms, and to suspend the cultivation of land; instead of natives of the country they employed slaves, who did them much more service, and from thence their number increased infinitely: but that of the subjects of the Commonwealth diminished in proportion; and it is easy to conceive what a misfortune this was to the State.

Pict.

Tiberius had been an eye-witness of this, and was sensibly concerned, when in crossing Tuscany on his way to Numantia, he saw the lands lie desert, and found no other husbandmen, herdsmen, and shepherds on them, but slaves from foreign countries, who were exempt by their condition from serving in war.

P. MUCIUS SCÆVOLA.

A. R. 619.

L. CALPURNIUS PISO FRUGI.

Ant. C. 133.

When Tiberius was elected Tribune of the People, he undertook to reform this disorder, and to reinstate the poor citizens in the possession of the lands, of which they had been deprived, by reviving the law Licinia, of which I have just spoke above. Cornelia his mother, who perpetually reproached her two sons with passing their lives in obscurity, and not distinguishing themselves by any signal actions, and *that the Romans called her Scipio's mother-in-law, and not the mother of the Gracchi*, strongly urged him to propose that law. But what still more determined him to do so, was the People, who by written papers affixed to porticos, walls, and tombs, exhorted him every day to take upon him their defence against the merciless Rich. He however did not think proper to resolve upon it without taking counsel. He communicated his design to some persons, who were considered as the principal citizens of Rome for reputation and virtue. Of this number were Crassus, who was afterwards *Pontifex Maximus*, the lawyer Mucius Scævola then Consul, and Ap-
pius Claudius, father-in-law of Tiberius.

One would think, says Plutarch, that a milder and more humane law was never proposed against so great an injustice, and so enormous an usurpation. For instead of expelling with shame those greedy possessors of others estates from the lands they held, contrary to the laws, and sentencing them to make restitution of all the gains they had unjustly made from them, it only ordained, that they should quit them after having received from the publick the price of the lands they possessed, and that the citizens, whose circumstances required
relief,

A. R. 619.
Ant. C. 133.
*Com-
plaint of
the Rich
against
Tiberius.
App. Civil.
l. 1.*

relief, should enter upon them in their stead. It appeared to the People, that the Rich ought to be perfectly satisfied, that no penalty was laid upon them for the past; and that no more was required of them, than to suffer those they had deprived of their estates to re-enter upon them. But the Rich were far from thinking in the same manner. They represented, that these lands were estates, which had been in their families from immemorial time; that they had built upon them, had planted them, and that the tombs of their forefathers were upon them; that they were fortunes divided amongst brothers, or that the portions of wives had been laid out in purchasing them; that they had been given to children in marriage: or lastly, that money had been borrowed upon these lands, which were mortgaged for the payment of their debts. These were undoubtedly great difficulties, and give room to think, it was with reason, that Lælius, who in his Tribuneship had the same idea of this matter as Tiberius, dropt it, and by that circumspection acquired the surname of *the Wise*, which has done him so much honour with posterity. The Rich in consequence were justly alarmed, rose up against the law, and even went so far as to attack the person of the Legislator; endeavouring to persuade the people, that Tiberius proposed this new partition of lands only to excite great troubles in the Commonwealth, and to induce commotions and confusion.

They got nothing by all their outcries and complaints. Tiberius bore them down irresistibly; and as he maintained a cause, that seemed entirely just and honest, with an eloquence capable of carrying an unjust and dishonest one, he made himself terrible to his opponents, when in an assembly of the whole People round the tribunal of harangues, he came to urge the most specious and popular

popular reasons in favour of the Poor, which could not fail of being applauded in an audience so much interested in approving them. *The wild beasts, said he, that roam in the mountains and forests of Italy, have each their hole and den to retire to; but these brave Romans, who fight and expose their lives for the defence of Italy, enjoy only the light and air of the heavens, of which they cannot be divested, and possess neither house nor cottage to shelter them from the injuries of the weather. Without homes, without retreat, they wander about in the very heart of their country with their wives and children like miserable exiles. Their Generals in battles exhort them to fight for the tombs of their fathers and their household gods: and yet amongst all this great multitude of Romans, there is not one, who has either a paternal altar or tomb of his ancestors. They go to war, and die only to support the luxury, and to increase the riches of others; and yet some do not blush to call them the lords and masters of the universe, when in reality they have not a single inch of land in their possession.*

To these words, which he pronounced with a kind of enthusiasm, that shewed (a) they came from his heart, and that he was sensibly touched with the misfortunes of the People, there was not a single person of his adversaries, that dared to make the least reply. The inconveniencies attending the ruin of the fortunes of the best families of Rome and Italy, might undoubtedly have affected minds capable of reason and reflexion. But a multitude, allured by the hope of commodious and agreeable settlements, and prejudiced by such arguments, as we have just seen the eloquent Tribune enforce, were absolutely deaf to the strongest reasons, that could have been urged to the con-

(a) Scias sentire eum quæ dicit. Quintil.

A. R. 619.
AEL. C. 133.

Octavius,
one of Ti-
berius's
Collegues,
opposes his
law.

trary. Accordingly the Rich renounced the thoughts of answering Tiberius, and applied to M. Octavius, one of his colleagues, a young man grave in his manners, full of moderation and prudence, and besides a particular friend of Tiberius. Octavius in consequence, out of consideration for him, at first refused to oppose his decree. But, as most of the great persons of Rome pressed and conjured him to second them, at length, in a manner carried away by their importunity, he rose up against Tiberius, and opposed his law. Now the opposition of a single Tribune put a stop to every thing, and as long as it subsisted nothing farther could be done.

Tiberius
endeavours
to bring
over his
colleague by
gentle me-
thods, but
ineffectually.

Tiberius, exasperated by this obstacle, withdrew this law, in which, as we have observed, he had kept within the bounds of moderation, and proposed another of greater severity against the Rich, and therefore more agreeable to the People. It decreed, *That all those who possessed more lands than the ancient laws allowed, should quit them immediately, without mentioning any allowance or satisfaction.*

Warm disputes passed every day in the tribunal between him and Octavius. But though both spoke with the utmost vehemence, neither said any thing injurious of the other, nor did they suffer the least word to escape them in their anger, that could be taxed with indecency: such force has a good education to keep the mind of man within the bounds of wisdom and moderation!

Tiberius apprehending, that Octavius might be actuated by private views of interest, because he was possessed himself of a considerable number of the lands dependent on the Commonwealth, in order to induce him to renounce his opposition, offered to indemnify him out of his own fortune, though himself was none of the richest. Octavius
did

did not accept this offer. Tiberius then, to shake the constancy of his adversaries, passed a decree, by which he prohibited all magistrates to exercise their functions, till the people should have deliberated upon the laws. He even shut the gates of Saturn's temple, where the publick treasure was kept, and sealed up the locks, that the Quæstors or Treasurers might take nothing out, nor bring nothing into it ; and laid great fines upon such of the Prætors, as should refuse to obey this decree. In consequence, all the magistrates without exception, not to incur that penalty, abandoned their ministration, and suspended their functions. What an enormous power was this in a Republican State, which in the hands of a young man of thirty, can thus, with a few words, interdict all other magistrates ?

In the mean time, the day fixed for the assembly arrived. But when Tiberius was for sending the people to give their suffrages, the Rich had carried off the urns which held the ballots for voting. This circumstance occasioned a great confusion, that might have had very fatal consequences. Manlius and Fulvius, persons of Consular dignity, threw themselves at the feet of Tiberius, conjured him to prevent the dreadful inconveniencies, into which he was hurrying, and prevailed upon him to go and consult with the Senate. He repaired to it immediately. But seeing that august body determined nothing, on account of the Rich, who had most credit and authority in it, he formed a resolution, that was generally disapproved by all persons of worth, which was to depose Octavius from his office of Tribune, despairing of ever being able to pass his law by any other means.

He undertakes to depose Octavius, and effects it.

However,

A. R. 619.
 Ant. C. 133.

However, before he proceeded to that extremity, he tried gentle methods. He desired Octavius, in the presence of the whole assembly, and used the most affecting terms he could conceive, squeezing his hands, and conjuring him “to depart from his opposition, and to afford the People this grace, who demanded nothing but their right, and in obtaining it, would receive but a slight reward for the many pains, fatigues, and dangers, they had sustained for the Commonwealth.” Octavius persisted stiffly in his refusal; upon which Tiberius manifested his design. *We are, said he, two colleagues perpetually and diametrically opposite to each other, upon an affair of the greatest importance. I see but one means of terminating the dispute; which is, that one of us be deprived of his office. I submit myself to this first. Octavius may bring what relates to me into deliberation. For my part, if the People decree it, I will instantly descend a private person from the tribunal.* Octavius being far from accepting such a proposal; *Well then, resumed Tiberius, to-morrow I will propose the deposing of Octavius to the people. The people shall decide, whether a Tribune, who obstinately opposes their interests, ought to continue invested with a charge, that he received only for their protection.*

The next day, the People being assembled, Tiberius mounted the tribunal, and again endeavoured, by the most gentle persuasions, to bring over Octavius. But finding him still inflexible, he proposed the decree for depriving him of his office, and sent the People to give their suffrages. Thirty-five Tribes were present. Seventeen had already given their voices against Octavius, and only one was wanting to form the majority for deposing the Tribune, when Tiberius ordering them to stop, began again to intreat him, embraced him before the whole People, and spared no kind of caresses;

Careſſes ; imploring and conjuring him not to expoſe himſelf to ſuch an affront, as to be diveſted of his charge by the People, and not to draw upon him the reproach of having been the author of ſo rigorous a proceeding.

A. R. 619.
Ant. C. 133.

Octavius could not hear theſe inſtances without being moved and ſoftened. He ſhed ſome tears, and kept ſilence during a conſiderable time, as if deliberating upon the choice he ſhould make. But at length, having caſt his eyes upon the Rich, and thoſe who poſſeſſed lands, who were around him in great numbers, he ſeemed to be aſhamed of breaking the promiſe he had made them ; and turning towards Tiberius, he declared with a reſolute tone, *that he might act as he thought fit.*

Accordingly, the decree for depoſing him being paſſed, Tiberius ordered one of his freedmen to pull him down from the tribunal ; for he employed his freedmen as officers. This circumſtance ſtill added to the indignity Octavius ſuffered. The People, however, far from being moved with it, already prepared to fall upon him, when the Rich ran in to his aid, and oppoſe the fury of the multitude. Octavius eſcaped with great difficulty ; but one of the moſt faithful of his ſlaves, who kept continually before him to defend him, and ward off the blows, had both his eyes beat out. Tiberius hearing the tumult, and being informed of what had juſt happened, was extremely ſorry for it, and made all poſſible haſte to prevent the conſequences.

All that Tiberius had done hitherto, had at leaſt the appearance of juſtice. But by an unexampled proceeding, to depoſe a magiſtrate, whoſe perſon was ſacred and inviolable, only for uſing a right annexed to his office, was an act, that inſtantly gave every body diſguſt. It is evident, that Tiberius thereby entirely enervated the authority of

*Reflexion
upon this
violent
proceeding
of Tiberius.*

A. R. 619.
Ant. C. 133.

the Tribuneship, and deprived the Commonwealth of a resource infinitely useful in times of trouble and division. For, as (a) Cicero observes, could it often happen, that the whole college of Tribunes should be so much corrupted and desperate, that not one in ten of them should think with reason, and be well inclined? Now the opposition of but one of them sufficed to frustrate the malignity of the other nine. This right of opposition was therefore the refuge of the Commonwealth; and Tiberius, in annihilating it, gave the State a mortal wound. But this was not at all; for he hurt himself extremely. He gave his enemies an handle: he cooled the affection and zeal even of his own party, who had the highest respect and veneration for the power of the Tribuneship, and could not without grief see it impaired and degraded. (b) Accordingly, this violent proceeding of Tiberius was deemed the principal cause of his destruction. We shall soon see what he will say in his own justification. But facts, as well as reason and justice, declare against him.

The law
for the dis-
tribution of
lands is
passed.
Three
Commission-
ers are
chosen to
put it in
execution.

After the deposing of Octavius, no farther obstacle, that could prevent the passing of the law, remained. It was received, the distribution of the lands decreed, and three Commissioners, or *Triumviri*, appointed to make enquiry and distribute them. These were Tiberius himself, his father-in-law Appius Claudius, and his brother Caius, then very little more than twenty years of age, and actually serving under Scipio at the siege of Numantia. The People believed it incumbent upon them to choose none but persons, upon whom

(a) Quod enim est tam desperatum Collegium, in quo nemo è decem sanâ mente sit? *De Leg.* iii. 24.

(b) Quid illum aliud perculit, nisi quod potestatem intercedendi Collegæ abrogavit? *Cic.* *ibid.*

they

they could entirely rely, for the execution of a law, in which they were so much interested.

A. R. 619
Ant. C. 135.

All this passed quietly enough ; nobody daring to oppose Tiberius further. The election also of a Tribune to succeed Octavius was at his discretion. He did not take a person of note, but one of his clients, called Mucius, whom his recommendation served instead of merit.

Mucius is substituted to Octavius.

The Nobility, notwithstanding, who retained the warmest resentment against him, and dreaded the increase of his power, did him all imaginable affronts in the Senate. Upon his demanding to be supplied with a tent at the publick expence, as was the custom, in order to his using it for incamping, whilst he was employed in this distribution, they refused it him, though it had always been granted even to persons, who were sent to execute much smaller commissions.

They went farther, and ordered that for his expences only nine *oboli* a day, that is a *denarius* and an half, about eight-pence sterling. This ill treatment was promoted by * P. Natta, who publickly declared himself his enemy. He possessed many of the publick lands, and was extremely mortified with being forced to give them up.

All these difficulties only exasperated the People more and more. He was told, that his defenders had every thing to fear from the violence and hatred of the Rich. Tiberius, on the occasion of the sudden death of one of his party, who was suspected to have been poisoned, either feigned to be, or actually was, in fear for his life. He put on mourning, and carrying his children to the forum, he recommended them to the People, and conjured them to preserve those young unfortunates and their mother, as despairing of being able to

Tiberius persuades the People, that designs are formed against his life.

* He had been Consul in 614, under which year we have spoken of him.

A. R. 619. save his own life, and expecting nothing but death.
 ANL C. 135. It is easy to conceive, how much such a sight was capable of moving the multitude.

He causes a decree to pass for the distribution of the estates of Attalus among the poorer citizens. About this time, Attalus Philometor, the last King of Pergamus, being dead, his will was brought to Rome, by which he had appointed the Roman People his heirs. As soon as it had been read, Tiberius took hold of the occasion, and proposed a law, importing, *That all the ready money arising from that prince's estates, should be distributed among the poor citizens, in order that they might have wherewith to furnish their new possessions, and to provide themselves with the tools necessary in agriculture.* He added, *That as to the cities and territories that formed the dominions of Attalus, it was not the right of the Senate, but of the People, to decree in respect to them.*

Thus Tiberius spared the Senate in nothing, attacking the authority of their whole body, after having shaken the fortunes of almost all the members that composed it. In consequence he was exposed to a thousand invectives, and reproaches from the Great, and those in their interest. But the rudest attack he had no support, was from one Annius, a man by no means comparable to him either by birth, talents, or manners; but one, who in altercations was singularly happy in perplexing his adversaries with captious questions, or keen and witty repartees. This Annius had the boldness to call upon Tiberius to confess, that he had violated a magistrate, whose person was sacred. The incensed Tribune immediately summoned an assembly of the People, brought Annius before it, and prepared to accuse him. But the latter, perceiving how much overmatched he was, had recourse to what constituted his strength. He asked Tiberius's permission to put one question to him. Tiberius consented, and the whole People kept silence.

silence. Annius then said these few words: *You are for taking revenge of me. Suppose I implore the aid of one of your Collegues. If he takes me under his protection, and in consequence you are enraged, will you deprive him of the Tribuneship?* Tiberius, on this question, was so much disconcerted, that though of all mankind he was the most capable of speaking without preparation, and the boldest and most determinate of haranguers, he remained mute, did not answer a single word, and dismissed the assembly directly.

He fully perceived, that of all he had done in *Tiberius* his office, nothing had drawn more odium upon *undertakes* him than the deposing of Octavius, and that the *to justify* People themselves were shocked at it. Upon this *the deposition of Oc-* subject he made a long speech, of which Plutarch *tavius.* repeats some strokes, to shew the great force of his eloquence, and his address in representing things, in favourable colours. It were to be wished, that we had these fragments in Latin.

He says, *That the person of the Tribune was only sacred and inviolable, because he was the man of the people, and sacred by condition for their protection and defence. But, added he, if the Tribune departing from his destination, does the People injury, instead of protecting them; if he weakens their power, and prevents them from giving their suffrages; in such case he deprives himself of the rights and privileges, that have been granted him, because he does not do the things, for which alone they were conferred upon him. For otherwise, it would follow, that we should suffer a Tribune to destroy the Capitol, and burn our arsenals: in that case he would be a Tribune, a bad one indeed, but however still a Tribune. Whereas, when he destroys and subverts the authority and power of the People, he is no longer a Tribune.*

A. R. 619.
A. U. C. 135.

Is it not strange, that a Tribune should have right, when he pleases, to drag a Consul to prison, and that the People should not have that of divesting a Tribune of his office, when he makes no use of it, but again, to give it him? For the People equally chuse both Consul and Tribune.

Regal power, besides including in itself all the authority and power of the other magistrates, that are delegated from it, was also consecrated to the gods by the most sacred ceremonies, and the most august sacrifices. Rome however did not fail to expel Tarquin on account of his injustice. The guilt of a single man was the cause, that that power, the most ancient of this empire, and which had given birth to Rome, was utterly abolished.

What is there more sacred and venerable in Rome than the virgins, who continually watch the sacred fire? But, if one of them happens to commit a crime, she is buried alive without mercy. For, in sinning against the gods, they no longer retain that inviolable character, which they solely have on the account of the gods. In like manner, when a Tribune transgresses against the People, it is no longer just that he should retain a character, which he has solely received for the sake of the People: for he himself destroys the power, to which he owes his whole force and authority. In consequence, if he was justly elected Tribune, when the majority of the Tribes gave him their suffrages, with how much more reason and justice is he deprived of his office, when all the Tribes have unanimously given their votes for deposing him.

There are no things so sacred and inviolable, as the laws which have been consecrated to the gods. However, no law prevented the People from using them, from changing their place, and transporting them whither they thought fit. It is therefore allowable for them to do with the Tribuneship what they do with the

the most sacred things, and to transfer it to whom they please. A. R. 619.
Ant. C. 133.

And lastly, a certain proof, that this office is not inviolable, absolutely speaking, nor removeable, is, that those on whom it has been conferred, have laid it down of themselves, and have desired to be discharged from it.

With these specious reasons Tiberius endeavoured to cover his violence: weak pretexts, like two-edged weapons, tending to reduce every thing to the law of the strongest; as that of the two Tribunes, who should have most credit and power, would never want plausible insinuations, that his adversary attacks the rights of the people.

The time for electing new Tribunes approaching, both sides spared no pains in canvassing, the one, that such might be chosen as favoured the Rich, the other, to continue Tiberius in office. The latter even intended to have his brother Caius appointed his colleague, and his father-in-law Appian declared Consul; believing these the sole means for succeeding in his enterprizes. He therefore endeavoured to conciliate the favour of the People more than ever by new laws, and retrenching by all methods the authority of the Senate, rather out of a spirit of contention and vengeance, than through any regard for justice and good government. He proposed a law for abridging the time of serving in the field; for establishing a right to appeal to the People from the sentences of all the different tribunals; to introduce amongst the judges, who were then all of the number of the Senators, an equal number of the Knights, and even to give all the states of Italy the freedom of Rome.

Whilst this passed, the day for the election of the Tribunes arrived. Tiberius, and his whole party, seeing that they were not the strongest, be-

A. R. 619.
Ant. C. 133.

cause many of the People, employed in country works, were absent, began first to fly out, and pick quarrels with the other Tribunes, to gain time; reproaching them, that for their private interests they betrayed those of the People; and at length Tiberius adjourned the assembly to the next day. He then came into the forum with a mourning robe, with the utmost dejection in his face, and with tears conjured the People to take him under their protection, saying, that he was afraid his enemies would attack him with force, and assassinate him in the night. By this discourse, he moved the People so much, that many of them posted themselves before his doors during the whole night.

*He is killed
in the Ca-
pitol.*

The next day he went at day-break to the Capitol. On his arrival every thing seemed much in his favour; as soon as he came in view, the People raised a great cry of joy to express their affection; and when he ascended the tribunal, he was received with great honours, and care was taken, that none should approach him, who were not known. I omit several bad omens, with which historians do not fail to accompany extraordinary events, and with which they observe Tiberius was so much dismayed, as almost to consider, whether he should return back, and renounce his enterprize. But C. Blossius of Cumæ, who was his great confident, encouraged him, representing to him in the strongest terms, how shameful it would be for him to give way in that manner to his enemies, and to frustrate the expectation of the publick.

At the same time the people were assembled in the Capitol; the Senate had also met in a neighbouring temple: but there was neither order nor tranquillity in either of these assemblies. Nothing was heard but noise, fury, and tumult.

Mucius the Tribune, who had been substituted to Octavius, having begun to call upon the Tribes to give their suffrages, found it impossible to proceed to business, so extreme were the noise and uproar. In this disorder, Fulvius Flaccus, one of the Senators, got upon an higher place, in order to be seen by the whole assembly, but not being able to be heard in effect of the noise, he made a sign with his hand, to signify, that he had something in particular to say to Tiberius. The latter immediately ordered the People to open and make way for him; when Fulvius, who had approached with great difficulty, informed him, that the Senate being assembled, the Nobility and Rich had used their utmost endeavours to bring over the Consul Scævola to their party, and not being able to effect it, they had resolved to kill him themselves; and in order to that had drawn together a great number of their friends and slaves all armed.

Upon this information, those who were about Tiberius thought of preparing for his defence. They girded their robes close, and breaking the staves used by the officers for clearing the way before the magistrates, they took pieces of them to use for want of other arms.

At the same instant Tiberius, who could not make himself heard at a distance on account of the great noise which continued, lifted up his hand to his head, to signify by that action to the multitude the danger that threatened him, and that designs were formed against his life. (a) His enemies, to give that innocent gesture a black and infamous construction, cried out, that he publicly de-

(a) Cum plebem ad defensionem salutis suæ, manu caput tangens, hortaretur, præ-

buit speciem regnum sibi & diadema poscentis. *Flor. iii.*
4.

A. R. 619.
Ant. C. 133.

manded a Crown. Q. Pompeius had before made way for that calumny, by giving out, that the person, who brought the will of Attalus to Rome, had delivered the royal purple and diadem to Tiberius, and that the Tribune had received those ornaments of the sovereignty, as being soon to reign himself in Rome.

The falsity of this accusation was evident; but of what will not people make use to destroy an enemy? Scipio Nasica, who had put himself at the head of Tiberius's most violent adversaries, snatched the occasion of the present moment, and called upon the Consul Scævola to aid his country, and destroy the tyrant. The Consul, who was a prudent and moderate man, replied, "That he would never set the example of violent measures, nor deprive a citizen of life without his being tried in the forms: but that, if the People, at the persuasion of Tiberius, proceeded to deliberate upon any thing contrary to the laws, he should have no regard to this." Nasica, upon that, rising up in a passion, cried out, *As the Consul, through a scrupulous exactness to the formalities of the law, exposes the Commonwealth and the laws themselves to certain destruction, though I am but a private person, I will put myself at the head of you.* At the same time he wrapped his left arm in part of his robe, and lifting up his right, said, *Follow me, all you, who have any regard for the preservation of the Commonwealth.* The whole Senate rose, and followed Nasica, who went directly to the Capitol.

Few dared to oppose the passage of a troop composed of all the most illustrious persons of the city. Those who followed the Senators had brought large staves and levers; and themselves laid hold of the legs and pieces of the benches broke by the People in their flight, and opened their

their way to Tiberius, striking and knocking <sup>A. R. 619;
Ant. C. 133.</sup> down all before them without respect to persons. All fled, and many were killed. As Tiberius himself was flying, somebody caught hold of him by the robe to stop him, when he left it in their hands, and continued his flight in his tunic. But happening to fall down as he ran; the moment he got up, P. Satureius, one of his Collegues, gave him first a great blow on the head with the foot of a bench; and a second was given by L. Rubrius, another Tribune, who boasted of it as of an action much for his honour. Tiberius was but thirty years of age, when he was killed. More than three hundred persons were knocked on the head with staves and stones, and not one slain with the sword.

This is the first sedition, as I have observed *Reflexion* before, since the expulsion of the Kings from ^{upon this} Rome, in which the blood of the citizens was ^{event.} shed. We have seen, in the best times of the Commonwealth, very warm and violent contests between the Senate and People: but either through the condescension of the Senate, or the respect of the People for that august body, every thing terminated quietly and by measures of reconciliation. Perhaps it had not been difficult in the present occasion for the Senators to have imitated the wise moderation of their ancestors, and to have brought over Tiberius by fair means: or if it had even been necessary to use force, things need not have been carried to such cruel extremities. That Tribune had not above three thousand men with him, and none of them armed with any thing but sticks.

The Great had certainly right on their side. The enterprize of Tiberius was culpable in itself. It never was allowable to deprive the actual possessors and the most illustrious of one half of a state of their fortunes,

A. R. 619.
A.D. C. 133.

fortunes, to transfer them to the other. And though there might have been some injustice originally in the thing, it was in a manner obliterated by long possession : and it is not without reason, that Prescription has been termed the patron of mankind. Besides, could it be expected, that all the most powerful citizens would acquiesce in being deprived of their whole estates. Tiberius's law therefore armed one part of the city against the other ; and consequently can only be considered as pernicious.

See *Anc.*

Hist. Vol. 7.

These reflections are (*a*) Cicero's, who opposes the conduct of the Gracchi, and such reformers, with that of Aratus, the founder of the Achaian league. Sicyon his country had been under subjection to tyrants during fifty years. Aratus having abolished their power, and brought back six hundred exiles with him, was exceedingly embarrassed, because on one side justice seemed to require, that those exiles should be reinstated in their fortunes, and on the other it scarce seemed equitable to deprive possessors, who had been so during fifteen years. (How much more regard would he have had to possessors of several ages?) But what did Aratus? He obtained a considerable sum of money from Ptolomy Philadelphus, with which he conciliated all interests. " O great man, cries Cicero (*b*), and worthy of being born a Roman man !

(*a*) Qui agrariam rem tentans, ut possessores suis sedibus pellantur—ii labefactant fundamenta reipublicæ: concordiam primùm, quæ esse non potest, quum aliis adimuntur, aliis condonantur pecuniæ; deinde æquitatem, quæ tollitur omnis, si habere suum cuique non licet. Id enim est

proprium civitatis atque urbis, ut sit libera, & non sollicita suæ rei cuique custodia.—Quam habet æquitatem ut agrum multis annis aut etiam seculis antè possessum, qui nullum habuit, habeat, qui autem habuit amittat. *De offic.* ii. 78, 79.

(*b*) O virum magnum, dignum.

“ man! It is thus citizens should be dealt with. A. R. 619.
Ant.C. 133.
 “ The policy and wisdom of a true statesman
 “ should not be to divide the interests of a people,
 “ but to unite them entirely by common and sa-
 “ lutory ties of equity.”

These principles, to which it is impossible to object, are a sentence of condemnation against Tiberius. The cause of the Great and Rich was consequently the best. But they dishonoured it by cruelty, and set a pernicious example, which was still more so in its consequences.

It is evident, that passion and fury had a great share in their proceeding. For the murder of Tiberius, and his blood so inhumanly shed, was not capable of satiating their animosity. They exercised a cruelty on his body, that rises even to barbarity. Notwithstanding the warmest intreaties of his brother Caius, they would not permit him to take it away, to render the last honours during the night, and threw it into the Tiber with the rest of the dead. Thus perished in the flower of life one of the most shining persons Rome had ever produced, who might have become the ornament of his country, if he had used more prudence in the application of his great talents.

P. POPILIUS LÆNAS.

P. RUPILIUS.

A. R. 620.
Ant.C. 132.

The Consuls were ordered by the Senate to prosecute the accomplices of Tiberius. But Rupilius, to whom the province of Sicily had fallen by lot, where we have seen him terminate the war against the slaves successfully, soon left the care Accom-
plices of
Tiberius
condemned.

numque qui in nostra republica natus esset! Sic par est agere cum civibus—eaeque humana ratio & sapientia boni

civis, commoda civium non divellere, atque omnes æquitate eadem continere. *De Offic.* ii. n. 83.

of

A. R. 620.
Ant. C. 132.

of affairs at Rome to his Colleague, who executed his commission with great severity, or rather cruelty. Many of the unfortunate Tribune's friends were banished without any forms of trial, and many put to death: Diophanes, the rhetorician, was of the number of the latter. Plutarch adds, that one C. Billius, or Villius, was shut up in a tub with vipers and serpents; a kind of punishment entirely new, and which seems almost improbable; unless it was designed to imply, that he was treated as guilty of parricide against his country.

*Seditious
answer of
Blosius.
De Amic.
37.*

Before Rupilius set out for Sicily, Lælius, who was associated with the Consuls in the commission, relates in Cicero, that Blosius, who had a great share in the seditious enterprizes of Tiberius, came to implore his assistance, and earnestly begged, that he would pardon him. He did not deny, that he had supported the Tribune to the utmost of his power; and pleaded for his sole excuse, that his esteem and attachment for Tiberius were so great, that he conceived himself obliged to act in every thing as he thought fit. *But, said Lælius, if he had ordered you to set the Capitol on fire, would you have done it? Oh, replied Blosius, he was not capable of giving me such an order. But, said Lælius, still insisting upon the same question, Suppose he had commanded it? I should have obeyed him, said the other. A wicked and criminal assent!* cries Lælius; who takes occasion from hence to lay down this excellent principle, (a) *That we ought never to ask our friends to do what is bad, nor do*

(a) Hæc igitur prima lex in amicitia sancitur, ut neque rogemus res turpes, nec faciamus rogati. Turpis enim excusatio est. & minimè acci-

pienda, cum in ceteris peccatis, tum si quis contra remp. se amici causi fecisse fateatur. *De Amicit. 40.*

Ti. quidem Gracchum remp. vexan-

do such things ourselves, when asked by them : for A. R. 620.
Ant. C. 132.
*friendship never can be admitted as an excuse or rea-
son for committing any crime whatsoever, and still
less for acting against one's country.* Accordingly
Lælius observes in the same passage, that the friends
of Tiberius, and Q. Tubero among the rest, aban-
doned him, when they apprehended, that he was
forming designs against the State. He clearly
affirms, that he endeavoured to make himself
King, or rather had actually reigned during some
months. These terms are very strong : but un-
doubtedly mean no more, than the exorbitant
power Tiberius assumed in the Commonwealth,
and not the formal design of taking upon him the
name of King, with the diadem and sceptre. Læ-
lius was too judicious to adopt popular rumours so
void of probability.

However, the Senate, perceiving that it was ne- P. Crassus
is elected
Triumvir
in the room
of Tibe-
rius.
cessary to give the People some satisfaction, con-
sented, that the law for the distribution of lands
should be put in execution, and that a Commissio-
ner, or Triumvir, should be appointed to supply
the place of Tiberius. The choice fell upon P.
Crassus, whose daughter Licina was married to
Caius.

This conduct of the Senate however did not Scipio Na-
sica is sent
into Asia
to remove
him from
the revenge
of the
People.
appease the People, and it was evident, that they
only waited an occasion to revenge the death of
Tiberius. Many publickly threatned to prose-
cute Scipio Nasica juridically ; and as soon as he
appeared, crowds gathered about him, calling him
impious wretch, tyrant, villain, who had polluted
the most venerable and most august temple of
Rome, with the blood of a sacred and inviolable

vexantem, à Q. Tuberone
æqualibusque amicis derelic-
tum videbamus, 37.

Ti. Gracchus regnum occu-
pare conatus est : vel regnavit
is quidem paucos menses, 40.

magistrate.

A. R. 620.
Ant. C. 132.

magistrate. The senate, alarmed for a man so dear to them, saw themselves obliged, in order to remove him from danger to a place of safety, to make him quit Italy, though he was then in the highest office of the priesthood, being *Pontifex Maximus*. Accordingly he was sent to Asia with a seeming commission, that concealed a real banishment. The troubles excited in that country by Aristonicus, after the death of Attalus Philometor the last King of Pergamus, supplied the Senate with a plausible pretext for sending him thither. He did not live long there. His grief, on account of leading a wandering life out of his country, occasioned his death very soon after his arrival at Pergamus. (a) Lælius could not think of the sad fate of so illustrious a person, without being so much moved as to shed tears. Cicero mentions him every where with praise. In his pleading for Milo, (b) he compares him to * Ahala, who killed Sp. Mælius; and says, that both of them, by destroying pernicious citizens, had filled the world with their glory. In another (c) place he extols his valour, wisdom, and greatness of soul; and affirms, that the best citizens considered him as the deliverer of the Commonwealth. But who does not discern in these excessive praises, given to the author of so criminal a violence, the spirit of party, that injures every thing, and never suffers men to keep within just bounds? Nafi-

(a) Quid in P. Nasicam effecerint, sine lachrymis non queo dicere. *De Amicit.* 40.

(b) Sp. Mælium—Ti. Gracchum—quorum interfectores impleverunt orbem terrarum sui nominis gloriâ. *Pro Mil.* 72.

* See *Roman Hist.* Vol. 11.

(c) Patertius (*Cicero speaks*

of *Fufius Calenus*) homo severus & prudens, primas omnium civium P. Nasicæ, qui Ti. Gracchum interfecit, dare solebat. Ejus enim virtute, consilio, magnitudine animi liberatam rempublicam arbitrabatur. *Phil.* viii. 13.

ca had reason to oppose Tiberius; but his having ^{A. R. 620.}
inhumanly massacred him, is so far from meriting ^{Ant. C. 132.}
praise, that it is really inexcusable.

P. LICINIUS CRASSUS.

A. R. 621.

L. VALERIUS FLACCUS.

Ant. C. 131.

The first of these two Consuls is the person, who had lately been created Triumvir for the distribution of the lands in the room of Tiberius. He was sent into Asia against Aristonicus, and perished there, as has been related.

Caius Gracchus, at the time immediately after *Caius re-*
his brother's death, whether through fear of his *tires.*
enemies, or to turn the hatred of the publick upon them by affecting to fear them, thought proper not to appear in the assemblies, and to live quietly in private. But this retirement was of no long continuance, and this very year he came into the Forum to support Carbo, who laboured to reanimate Tiberius's party.

C. Papirius Carbo, then Tribune of the people, was one of the most eloquent orators of his times, and often employed his talent in deploring the death of Tiberius. He proposed two laws, both contrary to the desires and power of the Great. The first introduced the method of scrutiny in deliberations upon new laws. I have spoke of it above. The second met with great difficulties, though supported by Caius, and was at last rejected. Lælius, and especially Scipio Africanus, lately returned from Numantia, strongly opposed it. On this occasion Scipio had very warm contests with the Tribune, and even lost the favour of the People, who had been extremely attached to him before. The affair happened as follows.

A. R. 621. Carbo continually harped upon the murder of
 Ant. C. 131. Tiberius, and in a dispute with Scipio asked him,
Answer of what his thoughts were upon that head? He was
Scipio A- in hopes of drawing from him an answer favour-
fricanus able to his views, says Valerius Maximus, because
concerning Scipio was the brother-in-law of the Gracchi, hav-
the death ing married their sister; or perhaps, being well
of Tiberius. apprized of what he would answer, his design was
 Val. Max. vi. 2. to make him odious to the multitude. However
 that were, Scipio was much above both those con-
 siderations. Whilst he was before Numantia, he
 had declared himself publickly on this subject.
 For on being told the news of Tiberius's death,
 he repeated with a loud voice a verse of Homer's,
 the sense of which is, (a) *Perish like him who imi-
 tate his deeds.* On the present occasion, he per-
 sisted in his first opinion, and said, that he be-
 lieved Tiberius had well deserved the death he had
 suffered. The people were exasperated by this
 answer: and Scipio was interrupted by cries of in-
 dignation and murmurs, which he had never ex-
 perience before. But that great man, with the
 authority, which superior merit gives, and only
 can give, silenced them with a tone of command:
 and as the noise was undoubtedly raised by num-
 bers of the lowest of the rabble, probably mingled
 with strangers and slaves, (b) *Silence, you there,*
said he, to whom Italy is but the mother-in-law,
not the mother. That haughty tone, and those
 strong terms, excited new cries amongst the mul-
 titude. But Scipio, far from giving way to them,
 persisted more warmly than before in his reproach-
 es. (c) *Do not imagine,* said he, *that I can fear*
those, whom I brought hither in chains, though they

(a) Ως ἀπόλειτο καὶ ἄλλος,
 ὅτις τοιαυτὰ γὰρ φίλον. *Odyss.*
 L. 47.

(b) Taceant quibus Italia
 noverca est.

(c) Non efficietis ut solutos
 verear quos alligatos adduxi.

are now unbound. This last expression had its effect, and made the whole assembly silent. But from that instant Scipio began to decline in the favour of the people, and continued to do so to his death.

A. R. 619.
Ant. C. 231.

C. CLAUDIUS PULCHER.
M. PERPENNA.

A. R. 622.
Ant. C. 130.

This year the ceremony of closing the *Lustrum Censuræ* was performed. The Roman citizens were found by the *Census* to amount to three hundred and thirteen thousand eight hundred and twenty-three.

The Censors were Q. Metellus Macedonicus, and Q. Pompeius, both Plebeians. Both the Censors were originally chosen out of the Patricians. C. Marcius Rutilus was the first Plebeian who possessed this office; and during two hundred and twenty years, it had been the custom to associate a Patrician and a Plebeian in the Censorship. This year for the first time both Censors were elected out of the order of the people.

Metellus, during his Censorship, made a speech *Speech of the Censor Metellus, to exhort the citizens to marry.* to the People, to exhort the citizens to marry. Celibacy, which is so honourable and worthy of praise with part of the Christian World, was amongst the Pagans only an occasion of abandoning themselves to debauchery with more licentiousness, and to spare themselves the cares, that attend the education of children, a matter of so great importance to the Commonwealth. This abuse had already begun to be introduced at Rome; such a progress had corruption of manners made there in a short time. Aulus Gellius has preserved two fragments of the discourse of Metellus upon this subject. The one includes a very fine reflection, as follows.

Speech of the Censor Metellus, to exhort the citizens to marry.

Aul. Gell. i. 6.

A. R. 622.
 ANL C. 130.

It appears, that in the preceding part of it, nor come down to us, Metellus laments the corruption of manners, and endeavours to make the people apprehend in consequence that they would draw down the wrath of the gods upon them. And to make them sensible, that it was in vain for them to rely upon the divine goodness, (a) *The immortal gods, said he, are not obliged to will us more good, than our fathers. But fathers disinherit incorrigible children. What then can we expect from the immortal gods, if we do not put an end to our disorders? Those only have a right to promise themselves the divine favour, who do not hurt themselves by their vices.* He concludes with this principle so grateful to human pride: *For the gods ought to reward, but not give, virtue.*

See Vol.
 VII.

The other fragment is no compliment to the ladies. I repeat it merely as an historian, without approving the satyr it contains. (b) *If human society, says the severe Censor, could subsist without women, we should all spare ourselves the troubles and inconveniencies they occasion. But because nature has ordained, that we can neither live with them commodiously enough, nor by any means without them, it is better to determine in favour of the propagation of our species, than merely to consult our convenience, in gratifying a short and fleeting appetite.*

(a) Dii immortales—non plus velle debent nobis, quam parentes. At parentes, si pergunt liberi errare, bonis exheredant. Quid ergo nos à diis immortalibus diutius exspectamus, nisi malis rationibus finem facimus? His demum deos propitios esse æquum est, qui sibi adversarii non sunt.

Dii immortales virtutem approbare, non adhibere debent.

(b) Si sine uxore possemus, Quirites, esse, omnes eâ molestiâ careremus. Sed quoniam ita natura tradidit ut nec cum illis satis commodè, nec sine illis ullo modo vivi possit; salutis perpetuæ potius, quam brevi voluptati consulendum.

Who

Who would believe, that a man of Metellus's rank, and actually Censor, should be in danger of losing his life at noon-day, and that by the punishment inflicted upon the greatest of criminals? This odious excess was a new fruit of Tribunitian violence. Metellus had excluded C. Atinius Tribune of the people from the Senate. The latter, actuated by a frantick desire of revenge, having observed the Censor, on his return at noon from the field of Mars, in the heat of the day, when the Forum and Capitol were entirely empty, he ordered him to be seized, in order to his being carried to, and thrown down the Tarpeian rock. The sons of Metellus (he had four, all principal persons of the Senate) being informed of their father's danger, flew to his aid. But what could they do against a magistrate, whose person was sacred and inviolable? The Censor was forced to make the Tribune's officers drag him, to gain time by that resistance. This caused him to be treated so roughly, that the blood came out of his ears. But at length a Tribune was found, who took him under his protection, and saved him from his Colleague's fury. “(a) Does this reflect any praise upon the manners of these times,” says Pliny, who has preserved an account of this fact, “or is it not rather new matter of indignation, that in the midst of so many Metelli, the criminal insolence of Atinius should have passed with entire impunity?”

(a) Quod superest, nescio Metellos tam sceleratam C. morumne gloriæ, an indignationis dolori accedat, inter tot Atinii audaciam semper fuisse inultam. *Plin. vii. 44.*

A. R. 623.
Ant. C. 129.

C. SEMPRONIUS TUDITANUS.
M. AQUILIUS.

*Difficulties
in the dis-
tribution
of lands.*

The three commissioners nominated for the distribution of lands, C. Gracchus, C. Carbo, and M. Fulvius Flaccus, the two latter of which had succeeded Ap. Claudius and P. Crassus, began to excite great troubles at Rome. The enquiry to be made by them, was the most difficult, most complicated and perplexing, that could possibly be imagined. The various changes, which had been made in the lands in question, by removing of bounds; by marriages, that had transferred them from one family to another; by sales either real or pretended, and covered by a long and peaceable possession, those things would not admit distinguishing which of such lands belonged to the publick, and which to particulars; and which were possessed under legal titles, or in consequence of unjust, though ancient, usurpations. These difficulties, become unsurmountable through length of time, had always, as we have already observed, made the wisest and most worthy persons of the Commonwealth condemn new distributions of lands, which would have occasioned a strange and inevitable reverse in the affairs of most families, even though the most intelligent and impartial persons had been appointed to make them. What then was to be expected from Commissioners elected for this enquiry, who acted only from passion, enmity, or interest?

*Scipio declares in
favour of
those, who
were in
possession
of lands.
Appian.*

Accordingly, from all the countries of Italy, allies and citizens frightened and in despair through these enquiries, came in crowds to Rome, to represent the exceeding danger and misfortunes, that threatened them, to the Senate. They addressed themselves principally to Scipio Africanus, under whom

whom most of them had long served, as to the person, whom they conceived to have most credit in the State, and to be the most zealous for the publick good. This is what is so particularly repeated in Scipio's dream. (a) *At your return from Numantia*, says the first Scipio Africanus to the second, of whom we are speaking, *you will find the Commonwealth in terrible confusion, occasioned by my grandson [Tiberius Gracchus.] It is now, my dear Africanus, you must use your great capacity, prudence, and courage for the defence of your country. The Senate, all good men, the allies, the Latines, will cast their eyes on you alone. You will be considered as the sole support of the State. In a word, if you can preserve yourself from the impious hands of your nearest relations, invested with the supreme authority of Dictator, you must re-establish good order in the Commonwealth.*

A. R. 623.
Ant. C. 129.

This was his full design. He could not refuse himself to the complaints of so many persons of worth, and spoke strongly in their favour in the Senate, without condemning the law of Tiberius directly and in itself, to avoid irritating the People, but contenting himself with setting in their full light all the difficulties, that would attend the execution of that law. He confined himself to demanding, that the contests, which should arise on this subject, should not be left to the decision of the three Commissioners, who were too much suspected by the parties concerned. The Senate

(a) Cùm eris curru Capitolium invehctus, offendes remp. perturbatam consiliis nepotis mei. Hic tu, Africane, ostendas oportebit patriæ lumen animi, ingenii, consilii que tui—In te unum atque tuum nomen se tota convertet civitas.

Te Senatus, te omnes boni, te focii, te Latini intuebuntur. Tu eris unus in quo nitatur civitatis salus. Ac, ne multa, Dictator remp. constituas oportet, si impias propinquorum manus effugeris. *Somn. Scip. in fragm. Cicer.*

A. R. 629.
Ant. C. 123.

came into this opinion, and gave the cognizance of all controverted matters relating to the distribution of lands, to the Consul Sempronius. But this remedy remained without effect; because the Consul, who from the first perceived the difficulty of the commission, or rather the impossibility of bringing it to a good issue, set out for Illyricum, which was his province.

*He is found
dead in his
bed.*

Appian.

Plut.
Apoph-
thegm.
Rom.

The People seeing that their hopes were postponed, and that an affair, in which they were so much interested, began to cool, broke out with violence against Scipio, reproaching him, that notwithstanding all the favours with which they had loaded him, having chosen him twice Consul without standing for that office, he abandoned their interests. The three Commissioners took advantage of these dispositions of the People, and spread a report, that preparations were making to annul the law by force, and by the method of arms. Caius went so far as to say, speaking of Scipio in the assembly, *that it was necessary to rid themselves of the tyrant. The enemies of their country, replied that great man, have reason to wish my death; for they well know, that Rome cannot fall whilst Scipio lives; nor Scipio live, if Rome should fall.* The day before his death he was again attacked by Fulvius, the most insolent of the Triumviri, who inveighed against him in the assembly of the people with the utmost rancour. Scipio, uneasy from the designs, which he knew were forming against his life, could not forbear complaining of them, and saying, “that he was
“very ill rewarded for his services by wicked
“and ungrateful citizens.” The zeal of the good increased for him in proportion with the hatred of the bad: and this may be said to have been the most glorious day of his life. On quitting the assembly, the Senators, the Allies,
and

and the Latines, conducted him in a body, and in a kind of triumph, to his house. They did not know, that these were a kind of funeral honours, which they paid him by anticipation. He was found dead the next day in his bed. He was fifty-six years of age. How great was the grief of all good men at Rome. What (a) groans did they not vent, when they saw, that the enemies of Scipio could not wait the natural term of his life, and by the most horrid of crimes had hastened the death of a citizen, whom they ought to have wished immortal!

It is not to be doubted, but this black deed was perpetrated by the faction of the Gracchi; and it is hard to believe, that Caius had not an hand in it, as all who were most nearly attached to him were violently suspected of it. Plutarch says so expressly of Fulvius: Pompey considered Carbo as undoubtedly the author of it. Sempronia, the sister of the Gracchi, and wife of Scipio, is charged by the epitome of Livy and Orosius: and Appian associates their mother Cornelia with her. From the testimonies of these different Authors it results, that Sempronia, who did not love her husband, and was not beloved by him, because she was ugly and barren, having easily given into the instances of Cornelia and the Triumviri, either gave Scipio poison, or caused assassins to enter the house in the night, who strangled him. Paterculus adds, that marks were found on his neck, of the violence that had been done to him: and the unusual precaution taken in carrying him to his tomb with his head covered over, seems to argue that the eyes of the curious were apprehended. What

A. R. 623.
Ant. C. 129.

Cic. pro
Mil. 10.

Cic. ad Q.
Fr. ii. ep.

3.

Auct. de
vit. Illust.

(a) Quis tum non gemuit? omnes esse cuperent, hujusne
Quis non arsit dolore? Quem necessariam quidem expecta-
immortalem, si fieri posset, tam esse mortem! Cic.

much

A. R. 623.
Ant. C. 129. much augmented suspicions, and occasioned the complaints of all good men, was, that no enquiry was made concerning the death of so great a person; and Plutarch does not leave us in ignorance in respect to so surprizing an omission. “ This “ was, says he, because the people were afraid, “ that if the affair were traced to the bottom, “ Caius might be found criminal.”

Behold to what horrors ambition is capable of carrying mankind. Caius was born with a very fine genius, and the most happy disposition to virtue. The boundless desire of aggrandizing himself at any price whatsoever, leads him on to share in the most detestable assassination in all its circumstances, that ever was committed, to the murder of an ally, relation, the principal citizen of Rome, and the greatest of mankind.

His obsequies.

Plin. vii.
44.

An honour, customary to illustrious persons, was however not paid to Scipio. No publick funeral was made for him, that is, decreed by the publick authority, and at the expence of the State. But the lively and sincere affliction of the most distinguished citizens of all orders, that attended his body to its interment, supplied its place. Q. Metellus Macedonicus, who had always opposed Scipio, however sent his sons to pay him the last duties. *Go sons,* said he to them, *you will never see the obsequies of a greater man, nor of a better citizen.* Q. Fabius Maximus, his nephew, made his funeral oration, of which Cicero has preserved us a very memorable stroke. (a) “ He thanked “ the gods, that Scipio was born at Rome.” *For,* added he, *there was an inevitable necessity, that the empire of the world should follow the fate of that*

(a) Gr^atias egit diis immortalibus, quòd ille vir in hac republica potissimum natus esset. Necesse enim fuisse, ibi esse terrarum imperium, ubi ille esset. *Pro Mur.* 73.

great man, and be the State's, of which he should have been a citizen.

A. R. 623.
Ant. C. 129.

The same Q. Fabius, on giving a feast to the People according to custom, in honour of Scipio Africanus, desired Q. Tubero, the nephew of Scipio, to take care of a table. Tubero carried his averfeness to luxury into the antient simplicity, and even to the love of poverty. That zeal, so laudable in other respects, was ill-timed here. As if he had been to pay honour to the death of a cynic philosopher, and not of the great Scipio, he contented himself with the most simple and coarse beds for the table, which he covered with goat-skins: and instead of silver plate, he caused the provisions to be served in earthen dishes. (a) People were so much disgusted with that indecency, that sometime after when he stood for the Prætorship, notwithstanding his personal merit and illustrious birth, his goat-skins drew upon him the disgrace of a refusal. Cicero makes a judicious reflexion on this head. *The Roman People, says he, hate luxury in private persons, but love magnificence in what relates to the publick. They do not approve excessive expences in feasts; but hate what is indecently soaid and penurious. They are for distinguishing times and occasions.*

Ill-timed
parsimony
of Tubero.
Cic. pro
Mur. 75,
76.
Val. Max.
vii. 5.

Scipio Africanus was rich, but infinitely remote from a taste for the expence and pomp, which usually attend riches. It is observed of him, that he never made purchases, sold, or built. At his death all the silver plate he had, amounted only to thirty-two pounds, and the gold to only two

Scipio's
remoteness
from pomp.
Plut.
Apoph.
Plin.
xxxiii. 11.
Auct. de
vit. Illust.

(a) Itaque homo integerri-
mus, civis optimus, cum esset
L. Pauli nepos, P. Africani
fororis filius, his hædinis pel-
liculis præturâ dejectus est.
Odit populus Romanus priva-
tam luxuriam, publicam, mag-
nificenciam diiigat. Non amat
profusas epulas, sordes & inhu-
manitatem multo minùs. Di-
stinguit rationem officiorum
ac temporum. Cic.

pounds

A. R. 623.
Ant. C. 129.

*Praise of
that great
man.*

pounds and an half; an evident proof, that those who have personal merit, and are great of themselves, can support the dignity of the highest honours and offices, without the glare of pomp and magnificence.

He was, as we have said before, the son of the famous P. Æmilius, who conquered Perseus, last King of Macedonia. He was adopted by the son of the first Scipio Africanus, and called *P. Cornelius Scipio Africanus Æmilianus*, uniting, according to the custom of adoption, the names of both families. He (*a*) sustained, and even increased their glory, by all the great qualities, that could adorn the gown and the sword. During the whole course of his life, says an historian, his actions, discourse, and sentiments, had nothing in them but what was highly laudable.

And indeed he may be considered as the most accomplished hero Rome ever produced. In war, as a Soldier and General, he equally distinguished himself in subaltern employments and the command of armies. With intrepid valour, and exalted greatness in his views, he united a constancy in supporting good discipline, that contributed more to his victories, than even the force of arms. He knew both how to make war, and to conquer without coming to blows. His grandfather, the first Africanus, gained more battles. But without entering here into a comparison above my capacity, it is certain, that his taking the cities of Carthage and Numantia are great and admirable exploits.

(*a*) P. Scipio Æmilianus, vir
avitis P. Africani paternisque
L. Pauli virtutibus simillimus,
omnibus belli ac togæ dotibus,
ingenique ac studiorum emi-

nentissimus seculi sui: qui ni-
hil in vita nisi laudandum aut
fecit, aut dixit, aut sensit.
Vell. Paterc. l. 12.

In the management of civil affairs our Scipio A. R. 623.
Ant. C. 129. shewed himself no less an hero. Full of the love of his country, and always firmly attached to public good, he made all other considerations give place to that one object. In that point he gave proofs of his superior capacity, constancy, greatness of soul, and contempt of the greatest dangers; and lastly, met with death from it, which had spared him in the hazards of war.

What shall I say of his domestick and private conduct? What generosity, elevation of sentiments, and simplicity, united with the greatest fortune and genius? He was liberal and beneficent, a good son, a good relation, a good friend: mild and good-natured without weakness, and firm without austerity.

A circumstance that had escaped us, comes in here opportunely enough. When he set out for Africa, a man, who had long been attached to him, and paid him his court very assiduously, asked him for the post of * commander of the pioneers in his army: this was a gainful employment amongst the Romans; and as Scipio refused it him, he was very much out of humour. Cic. ii. in Verr. 28, 29. (a) *Don't wonder, said Scipio, with admirable sense and calmness, that you are denied by me the employment you desire. I have long pressed one to accept it, who, I believe, will have my reputation at heart, and cannot yet prevail upon him to take it.* He knew, as Cicero observes, that persons in high stations are accountable for the conduct of those they employ about them; and consequently, if

* *Præfectus Fabrûm.*

(a) *Noli, inquit, mirari, si tu à me hoc non impetras. Ego jam pridem ab eo, cui meam estimationem caram fore arbitror, peto ut mecum præfectus proficiscatur, & adhuc impetrare*

non possum. Etenim revera multo magis est petendum ab hominibus, si salvi & honesti esse volumus, ut eant nobiscum in provinciam, quàm hoc illis in beneficii loco deferendum. *Cic.*

they

A. R. 623.
Ant. C. 129.

they are nice in point of reputation, they ought to desire friends of merit to accept offices of trust, and not bestow them as favours.

Scipio loved letters : and with a soul naturally heroic, he cultivated the gifts of nature by the study of polite knowledge. As his genius was no less solid than bright, he lost none of the fruits of application : he was less intent on acquiring the agreeable than the useful ; less the merely ornamental, than what tends to improve the heart, the manners. Perceiving well how much he owed to letters, he was constantly attached to them : and after having devoted himself ardently to them in his youth, he always persisted in his commerce with them, even when in the highest occupations. What I have said on this subject may be seen where I have spoke of the private life of this great man. I shall add here, that (*a*) Xenophon was his favourite author. He found in him all he could desire : the most grateful amusements after cares, with solid lessons both as to morals, and even war, of which he never lost sight.

To all these inestimable advantages, which he derived from the study of the polite arts, let us add, that he formed himself also by the same method for the talent of speaking, so necessary in a Commonwealth, in which the affairs of the universe were decided by the deliberations of the Senate and People. I have already observed, that Cicero set no less value upon the eloquence of Scipio, than upon that of Lælius : and he characterizes it by attributes, that entirely suit so great a man ; (*b*) majesty, authority, force of thoughts,

(*a*) Africanus semper Socraticum Xenophontem in manibus habebat. *Tusc. Quæst.* ii. 62.

(*b*) Quanta illa, dii immortales ! fuit gravitas ? (*Lælius*

says this on a speech of Scipio's)
quanta in oratione majestas ?
ut facile ducem populi Romani non comitem diceret.
De Amic. n. 96.

and

and elevations of sentiments. It spoke the august chief, who gave the law to the people, and did not receive it from them. A. R. 625-
Ant. C. 129-

Scipio united therefore in himself alone all the virtues, that constitute the Warrior, the Statesman, the Citizen, and the Man. But what is entirely singular, history does not mention one single blot in so great a life: it praises him without exception; and no part of his conduct stands in need of the least apology.

The authority and counsels of Polybius were very useful to him, as I have said before, in attaining so high a degree of glory. This is a fine example for young persons of high rank. They would still find Polybius's, if they sought them, and might themselves become Scipio's.

During the two years, that succeeded the death of Scipio Africanus, history is silent concerning the contests occasioned by the distribution of lands. We only know from Plutarch, that Caius kept the nobility in continual apprehension, by the virtues and talents that shone out in his person.

They saw him infinitely averse to idleness and luxury, neither giving into debauch, nor taking pains to acquire riches: besides which, he applied himself to eloquence, that supplied him with arms to sustain the conflicts of the Forum. Every body knows, that at Rome (a) there were only two methods for attaining the principal dignities, the merit of a great General, and that of a good Orator. These two talents were conceived almost on a level with each other: the one defended the State against the enemy abroad, and the other

(a) Duæ sunt artes quæ possunt locare homines in amplissimo gradu dignitatis: una imperatoris, altera oratoris boni.

Ab hoc enim pacis ornamenta retinentur: ab illo belli pericula repelluntur. *Pro Mur.* 30.

A. R. 623.
Ant. C. 129.

supported the citizens, and even the Commonwealth, at home.

Caius gave proofs of the progress he had made in respect to eloquence in a cause, which he pleaded for one of his friends, called Vettius. The People were so transported with the pleasure of hearing him, that they could not refrain from publicly expressing their joy. They thought, they saw a second Tiberius in him, and a new protector of the Agrarian laws. Accordingly, says Plutarch, Caius, on this occasion, made the other orators appear like children, compared with him. This great success rendered him still more suspected and formidable to the nobility; and from thenceforth they agreed, that it was necessary to spare no methods for preventing him from attaining the Tribuneship.

A. R. 626.
Ant. C. 126.

M. ÆMILIUS LEPIDUS.
L. AURELIUS ORESTES.

*Caius goes
to Sardinia as
Quæstor.*

Caius having been elected Quæstor, the province of Sardinia fell to him by lot, under the Consul Orestes. The Quæstorship was the first step in the order of dignities. His enemies were extremely pleased to see him obliged by his office to remove from the city and the assemblies of the people; and on his side, he rejoiced no less than they, because he naturally loved war, and had exercised himself no less in arms than in eloquence. Besides which, during the office of Tribune, which had been so fatal to his brother, and not finding himself capable of resisting the People and his friends, who called upon him to accept it, he eagerly seized this occasion of absence, which was become necessary to him, and much to his taste.

If we admit this, it must be allowed, that he A. R. 626.
Ant. C. 126.
Dream of Caius. threw himself into the affairs of government, rather through necessity than choice. It is however certain, that Caius desired it might be thought so.

For as Cicero tells us, he himself related a dream Cic. de
Divin. i.
56.
Plut.
Val. Max.
i. 7. to every body, that implies a repugnance in him to overcome by fatality only. He said, that at the time when he stood for the Quæstorship, his brother Tiberius appeared to him in a dream, and told him: *Caius, it is in vain to fly: the fates prepare for you a like destiny to mine.*

Caius, on arriving in Sardinia, gave all manner of proof of great merit. He distinguished Wise conduct of
Caius in
Sardinia. himself above all the other young persons by his valour against the enemy, by his equity and justice to all under him, and by his affection and respect for his General. But as to what regarded temperance, a taste for simplicity, sobriety and love of labour, he excelled even those, that were of more advanced years than himself.

The winter happened this year to be very hard and unwholesome in Sardinia. The General sent to the cities to demand cloaths for his soldiers. The cities at the same time sent deputies to the Senate, to desire to be exempted from this taxation, which exceeded their power. The Senate heard their request favourably, and ordered the Consul to seek cloathing for his troops elsewhere. This order did not a little perplex him; because he knew no means of furnishing the expence, and relieving the soldiers, whom he saw with pain suffer extremely from the rigour of the weather. Caius, who was highly esteemed and beloved throughout the whole island, went from city to city, and by his eloquence prevailed upon them all to send habits, and to aid the Romans in so pressing a necessity of their own accord. This example shews of

A. R. 626. what importance it is to treat a people well, and
 Ant. C. 126. to acquire their affection.

His great reputation alarms the Senate. The news of this being carried to Rome, so great a service seemed an essay and prelude to what Caius would do to gain the affection of the People, and very much troubled the Senate. Their jealousy, or rather ill-will, rose so high, that ambassadors, who arrived at Rome about the same time from King Micipsa, having declared to the Senate, that the King their master, out of consideration for Caius, had sent a great quantity of corn to the Roman General in Sardinia; they were highly offended, and made the Ambassadors retire.

A. R. 627. M. PLAUTIUS HYPSEUS.
 Ant. C. 125. M. FULVIUS FLACCUS.

Turbulent designs of Fulvius.
 App. de Bell. Civ. Fulvius, the Consul of this year, was one of the three commissioners for the execution of the Agrarian law, a turbulent man, who, to console the allies for the loss of the lands taken from them, supported, with the whole authority of the Consulship, the project set on foot by Tiberius, as I have said above, to give all the States of Italy the freedom of Rome. Happily for the publick tranquillity, the people of Massylia [*Marseilles*] sent deputies to Rome to demand aid against the Gauls their neighbours, who infested them. The care of this war, with which Fulvius voluntarily charged himself in hopes of a triumph, delivered the city for some time from that factious man.

Conspiracy suppressed at Fregellæ.
 Freinshem. In these circumstances, a conspiracy, which had been long forming, broke out on a sudden, by the revolt of Fregellæ, a city of Latium. But it was suppressed in its birth by the care of the Prætor L. Opimius, who besieged the city and took it. If this conspiracy had not been discovered in time,

time, it might then have occasioned the general defection of the allies, which afterwards highly endangered the Commonwealth. That Prætor, who was a declared enemy of the family of the Gracchi, in the account which he gave the Senate of that conspiracy, threw out some suspicions of Caius; and represented facts in such a manner, as to make him seem the principal secret promoter of the enterprize.

A. R. 627.
Ant. C. 125.

C. CASSIUS LONGINUS.
C. SEXTIUS CALVINUS,

A. R. 628.
Ant. C. 124.

L. Aurelius had now been two years in Sardinia. He was however continued in the command in the same province this year, and new troops were sent him to relieve those, who had hitherto done good service under him. The Senate's principal design in continuing the command to Aurelius in Sardinia, was to keep Caius there also, in quality of Pro-quæstor, and to prevent him, under that pretext, from appearing at Rome, where his presence was dreaded. But Caius did not give into this snare, but embarked for Rome, where he appeared on a sudden, when he was believed to be still in Sardinia. His enemies did not fail to make this a crime, and took this occasion for rendering him odious, as a bold and daring young man, who set himself above the laws. The people themselves at first condemned so precipitate a retreat, and thought it strange for a Quæstor to come home before his General.

Caius returns to Rome.

Being obliged to appear before the Censors to give them an account of his conduct, he defended himself with abundance of force and modesty. He represented to them, "That he had served twelve years in the field, though the laws required only ten. That he had continued two

He entirely justifies himself before the Censors.

A. R. 628. “entire years with his General acting as Quæstor,
 Ant. C. 124 “though the law permitted a Quæstor to retire
 “after one year of service. (a) That during the
 “whole time he had not received a single *obolus*
 “as a present from the allies, and had not suf-
 “fered them to be at any expence on his account.
 “That if it could be said that any debauched
 “women had entered his house, he submitted to
 “be considered as the last and most contemptible
 “of mortals. He added, that he was the only
 “one of this army, who had carried out his purse
 “full of money, and had brought it back empty;
 “whereas all the rest had drank up the wine they
 “had carried out in their flaggons, and had
 “brought home the same flaggons full of gold
 “and silver.” He pleaded his cause so well,
 that he brought over all that were present to his
 side; and his judges were convinced, that great
 injustice had been done him.

After this affair, many others were set on foot,
 and several still heavier articles of accusation were
 formed against him. For he was accused of hav-
 ing solicited the allies to take arms against the
 Romans, and of having had a share in the revolt
 of Fregellæ. But he defended himself so well
 against the heads laid to his charge, that he en-
 tirely removed all the suspicions that had been
 propagated against him. When he had purged
 himself of them, he applied himself to canvassing
 for the Tribuneship.

(a) Ita versatus sum in pro-
 vincia, ut nemo possit vere di-
 cere assem aut eo plus in mu-
 neribus me accepisse; aut mea
 opera quemquam sumptum fe-
 cisse—si ulla meretrix domum
 meam introivit—omnium na-
 torum postremum nequissi-
 mumque existimatote. Ita-

que, Quirites, cum Roma
 profectus sum, zonas, quas
 plenas argento extuli ex pro-
 vincia inanes retuli. Alii vini
 amphoras, quas plenas tuler-
 unt, eas argento plenas do-
 mum reportaverunt. *Apud*
Aul. Gell. xv. 12.

All the Nobility and Rich in general opposed him in this demand, of which they extremely apprehended the consequences. But the People were so highly in his interest, that a kind of inundation of citizens came from all parts of Italy to share in his election. The multitude of them was so very great, that vast numbers could not find lodging, and the Field of Mars being too little to contain them all, they gave their suffrages with loud voices from the roofs of houses. All the advantage the Nobles acquired from the pains they had taken, was the slight mortification they gave Caius, in being chosen only fourth, whereas he expected to have been nominated first. But they did not get much by that. For he no sooner entered upon office, than he became the first, by the superiority of his merit, to that of all his Collegues.

Cicero (*a*) makes no difficulty to say, that Caius had talents, if he had lived longer, to have equalled his father Gracchus, and his grandfather Scipio Africanus. He extremely regrets, that he chose rather to approve his zeal for his brother's memory, than his piety to his country: and he owns, that the State and Letters were equally losers by his death. As to his eloquence, he gives it the highest praises. He extols his noble diction, solid thoughts, rich abundance, and a majestic gravity and force, that placed him much above all the orators that had appeared till then at

(*a*) Noli putare, Brute, quemquam pleniorē & uberiorē ad dicendum fuisse — Damnum, illius immaturo interitu, res Romanæ Latinæque litteræ fecerunt. Utinam non tam fratri pietatem quàm patriæ præstare voluisset! Quàm ille facilè tali

ingenio, diutius si vixisset, vel paternam esset vel avitam gloriam consecutus: Eloquentia quidem nescio an habuisset parem neminem. Grandis est verbis, sapiens sententiis, genere toto gravis. *Brut.* 125, 126;

A. R. 628.
Ant. C. 124

Rome, and which were capable of carrying him on to a degree of perfection, that would have left him no cause to fear, that he should ever have a superior.

(a) What particularly animated his eloquence, was the force with which his respect and tenderness for his brother inspired him, the remembrance of his cruel death, that was always before his eyes, and affected him with the most lively affliction; and lastly, a violent desire of avenging it. For whatever was the subject of his discourse, he always found occasion to deplore his brother's death, and incessantly recalled that idea to the People, which supplied him with the most pathetic thoughts and expressions. (b) *Whither shall I fly, says he, where shall I find an asylum? Shall I go to the Capitol? But that temple is still wet with my brother's blood. Shall I go to hide myself in my own house? But there I find a mother inconsolable, and in despair.* To such moving discourse he added a manner of speaking, a tone of voice, gestures, and looks, which drew tears from the eyes even of his enemies.

Sometimes to the sanguinary violence committed upon Tiberius, he opposed the quite different conduct of the ancient Romans. *Your ancestors, said he, in former times, declared war against the Falisci, to revenge Genucius, Tribune of the People, whom they had insulted only in words; they condemned C. Veterius to die, because, as one of the Tribunes was going through the Forum, he had been the*

(a) C. Gracchum mors fraterna, pietas, dolor, magnitudo animi, ad expetendas domesticæ sanguinis poenas excitavit. Cic. de Harusp. resp. 43.

(b) *Quò me miser conferam? quò vertam? In Capitolium-*

ne? at fratris sanguine redundat. Ad domum? matremne ut miseram, lamentantemque videam, & abjectam? C. Gracchus apud Cic. l. iii. de Or. n. 214.

— only

only one who refused to make way for him to pass. A. R. 628.
Ant. C. 124. Whereas those men, pointing to the Nobility, knocked my brother Tiberius on the head with staves before your eyes; in their fury they dragged his murdered body through the city, and threw it into the Tiber, to deprive it of funeral honours. Without any form of justice they put all his friends to death, that fell into their hands. However, added he, it is a custom observed in all times at Rome, that when a man is prosecuted criminally, if he does not appear early in the morning, an officer is sent to his door to summon him by sound of trumpet; and before that ceremony is performed, the judges never proceed to pass sentence. Such was the care and precaution of our ancestors in their trials, when the life of a citizen was in question.

Tribuneship of CAIUS.

Q. CÆCILIUS METELLUS.

A. R. 629.

T. QUINTIUS FLAMININUS.

Ant. C. 123.

Caius after having warmed the people by such discourses, proposed two laws, both tending to attack the enemies of Tiberius. The one was, Caius proposes several laws. That every magistrate deposed by the people should be rendered incapable of standing for any office. The other decreed, That the magistrate, who should have banished a citizen, without having prosecuted him according to the forms, should be cited and tried before the People. The first of these laws directly regarded Octavius, whom Tiberius had caused to be deposed; and the other Popilius, who being Consul, had banished the friends of Tiberius, without having very exactly observed the forms of justice. Popilius did not wait the sentence of the People, and voluntarily banished himself from Italy. He was not long an exile. Caius was no sooner killed,

A. R. 629.
Ant. C. 123.

than the Tribune L. Calpurnius Bestia caused Popillius to be recalled by the suffrages of the People themselves. As to what concerns the other law, Caius annulled it at the request of his mother, who interested herself for Octavius. The People came readily into this: for they highly honoured Cornelia, as much out of consideration for her two sons, as on account of her father; which evidently appeared sometime after by a statue of bronze, which they erected to her with this inscription, *Cornelia, the mother of the Gracchi*.

These two first laws were only a prelude to many others that followed; and Caius omitted nothing, that could retrench the authority of the Senate, and augment that of the People.

He renewed his brother's law for the distribution of lands: and caused himself to be established, or confirmed, Triumvir for that distribution, with M. Fulvius and C. Crassus.

He decreed, that the soldiers should be supplied with habits, without any deduction from their pay; and that no citizen should be enlisted till the age of seventeen years compleat.

He did not forget the multitude, that inhabited Rome, and decreed, that a certain quantity of corn should be distributed monthly to the poor citizens upon the foot of something less than an half-penny of our money. (a) This law gave the People infinite pleasure, who were thereby provided for, and dispensed from working. But all persons of worth opposed it: first because it exhausted the public treasury; but especially, because if it be incumbent on a wise government to

(a) *Frumentariam legem C. Gracchus ferebat. Jucunda res plebi Romanæ: victus enim suppeditabatur largè sine labore. Repugnant boni,*

quòd & ab industria plebem ad desidiam avocari putabant, & ærarium exhauriri videbant. Cic. pro Sext. 103.

relieve such as are really poor, and not in a condition to get their living, it is no less certain, that by indiscriminately taking the inferior people from the habit and necessity of labour, infinite harm is done the Commonwealth, which is overburthened with the multitude of the idle and lazy, who give themselves up to all kinds of disorders, and excesses. This kind of largesses, therefore, says Cicero, are laudable, when they are moderate, and regulated by real occasions: but excessive and indefinite, as these of Caius were, they must be deemed very pernicious.

The distributions of corn decreed by Caius were really indefinite. For it appears, that it included the rich as well as the poor. The fact, which I am going to relate, is a proof of this. L. Piso, surnamed (a) *Frugi*, that is, *honest man*, a person then of Consular dignity, but still more venerable for his universal acknowledged probity, had been one of those, who had most strongly opposed the law of Caius, of which we are speaking. When this law had overcome all obstacles, and began to be put in execution, Caius, seeing him amongst those who came to take the distribution, called upon him before the whole People, and reproached him with acting inconsistently with himself, in demanding his share of corn in consequence of a law, which he had opposed. *I would not willingly*

(a) Piso ille Frugi semper contra legem frumentariam dixerat. Is, lege lata, consularis ad frumentum accipiendum venerat. Animadvertit Gracchus in concione Pisonem stantem. Quærit, audiente populo R. qui sibi constet, cum eâ lege frumentum petat, quam dissuaserat. *Nolim*, inquit, *mea bona, Gracche, tibi viritum di-*

videre liceat: sed si facias partem petam. Parum-ne declaravit vir gravis & sapiens, lege Sempronîâ patrimonium publicum dissipari?—C. Gracchus cum largitiones maximas fecisset, & effudisset ærarium, verbis tamen defendebat ærarium. Quid verba audiam, cum facta videam. *Tuscul. Quæst. iii. 48.*

consent

A. R. 629. *consent*, replied Piso, *that you should distribute my*
 Ant. C. 123. *fortune to the citizens. But if you were to do it, I*
should come at least to ask my part of it. To talk
 thus, was publickly condemning the law of Caius,
 as ruining the treasury, and exhausting the patri-
 mony of the publick, of which Caius however
 boasted himself in all his speeches the defender and
 preserver: but his actions proved quite the re-
 verse.

Caius un- He also passed decrees for settling colonies,
 dertakes making high-ways, and building publick maga-
 and exe- zines; and he took upon himself the direction and
 cutes seve- management of those important works, without
 ral publick ever sinking under the weight of care, and with-
 works of out seeming so much as perplexed with so many
 impor- and so great undertakings; but on the contrary,
 tance. executing them all with as much readiness and at-
 tention; as if each had been the only one he was
 charged with. The People were transported to see
 him always followed by a crowd of undertakers,
 workmen, ambassadors, officers, soldiers, and
 men of letters, with whom he conversed familiarly
 with great humanity, always retaining his gravity
 and dignity in the midst of his obliging and po-
 lite behaviour, accommodating himself to their
 several characters, and talking with each in his
 own way; an uncommon talent, but absolutely
 necessary to persons in high stations!

The works, which he had most at heart, and
 to which he applied with the greatest attention,
 were the great high-ways, in which he confined
 himself principally to conveniency, without neg-
 lecting however beauty and ornament. He car-
 ried on these ways in right lines across countries,
 paved them with fine hewn stones wherever there
 was occasion, or used splinters of stone and gra-
 vel to make the roads firm. He caused all bogs
 and hollows made by the course of waters to be
 filled

filled up, or joined them to banks by strong bridges. Besides this, he divided all these ways into equal distances, each of a thousand paces, and caused a kind of stone pillars to be erected, on which the number of these miles were cut, beginning from Rome. And hence come the words so common in Latin authors, *tertio, quarto ab urbe lapide*. On both sides he also caused stones to be placed to assist travellers in getting on horseback: for in his time the use of stirrups was unknown.

The credit of Caius daily augmented amongst the people, who gave him the highest praises, and declared themselves ready to add the most essential marks of their affection. Caius took the advantage of this good disposition, to remove from the Consulship Opimus, his mortal enemy, who had formerly endeavoured to have him considered as the author of the conspiracy at Fregellæ, and to substitute Fannius in his place, from whom he certainly expected more support than he received. For this purpose he said one day to the people; in haranguing them, that he had one favour to ask of them upon the day of the election of Consuls, which should be, if obtained, the sum of all rewards to him, but however, if denied, he should never complain of it. This declaration gave great disquiet, and particularly alarmed the Senate. Every one interpreted the intention of Caius his own way. The day of election being come, and every body in expectation of what he would ask, he came to the Field of Mars, leading C. Fannius by the hand, and soliciting with all his friends in his favour. The people did not hesitate, and create Fannius Consul, giving him Cn. Domitius for Collegue. Besides this, they continued Caius himself in the Tribuneship, though he had neither asked, nor made any interest for it. His actions canvassed sufficiently for him.

A. R. 629.
Ant. C. 123.

C. Fannius
is elected
Consul by
the interest
of Caius.

Caius is
elected
Tribune for
the second
time.

C. FAN-

A. R. 630.
 ANL. C. 122.

C. FANNIUS.
 CN. DOMITIUS.

*Caius
 transfers
 the admi-
 nistration
 of justice
 from the
 Senate to
 the
 Knights.*

Caius, always intent upon weakening the authority of the Senators, and seeing that the privilege of having the sole administration of justice gave them great power, did not content himself with associating the Knights with them in adjudging causes, as Plutarch says, (in which the learned Manucius shews he was mistaken :) but he deprived the Senate entirely of it, and transferred it to the Knights. * Many changes were made in this respect in the sequel. The flagrant injustices committed on trials, in which criminals, most notorious for oppressions and extortions, found assured protection by corrupting the judges with presents, served Caius as specious pretexts for proposing this law, and the people for establishing it by their suffrages. The same reason made the Senate ashamed to oppose it.

Appian.

Bell. Civ.
 l. 1.

When Caius had passed this law, he publickly boasted, that he had utterly ruined the power of the Senate; and he was not mistaken. The Knights, now sole masters in adjudging causes, made themselves formidable to the Senators. They soon imitated, and even surpassed those they had succeeded, in corruption and iniquity. As the farmers of the publick revenues were of their order, their new power gave them the means of boldly committing peculation, and of robbing the Commonwealth with entire impunity. They did

* *The Knights retained the power Caius granted them during sixteen or seventeen years, till the Consulship of Cæpio, who associated the Senators with them. The Knights were afterwards in full possession of the judicature; which was again divided between them and the senators sometime after, till Sylla deprived the Knights entirely of it.*

not

not content themselves with receiving presents for acquitting the guilty: they went so far as to destroy the innocent. We shall see facts of this kind, which will prove, that to reform abuses, it was necessary not to transfer the administration of justice from one order to another, but to reform the whole State, which was universally corrupted, and to revive, if that had been possible, the sentiments of honour and probity of the ancient Romans.

Another change, which he either introduced, or * revived, though slight in appearance, discovers the real intentions of Caius, and shews, that his plan was entirely to change the government of Rome, to make it degenerate into a mere democracy, and to deprive the Senate of the principal rank and authority. It was the custom for those, who harangued in the tribunal, to turn towards the Senate, and the place called the *Comitium*. Caius, in speaking, affected to turn towards the other end, which was the Forum, and after he had began this, he always persevered in it, to shew that the sovereign power was vested in the people, and that it was to them, and not to the Senate, all who spoke of publick affairs ought to address themselves.

Caius, seeing that the Consul Fannius, notwithstanding his obligations to him, was extremely cold in his affairs, neglected nothing to conciliate the people, and made new laws. Accordingly he proposed the sending of colonies to Tarentum and Capua, and undertook to have the freedom of the city, and the right of voting, granted to all the states of Italy, almost to the Alps, which would

* Cicero and Varro mention *jeſture, that the example of*
one Licinius, Tribune the 607th
year of Rome, as the author of
this practice. To reconcile Plu-
tarch with them, we may con-
Licinius had not been followed
by his ſucceſſors, and that Caius
revived it.

A. R. 630. have enabled him to have passed whatsoever he
 Ant. C. 122. pleased in the assembly.

The Senate,
to ruin the
credit of
Caius,
makes
Drusus,
one of his
Collegues,
oppose him,
and becomes
popular
itself.

The Senate, terrified with the power of Caius, which became more exorbitant every day, and apprehending, that it would at length attain to an height, which would make it impossible to oppose it, conceived a method entirely new, and hitherto unheard of, for exceedingly weakening his credit with the people. This was, to render itself still more popular than Caius, and to grant the people, without much regard to right and just, whatever could be agreeable to them.

Amongst the Collegues of Caius, there was one very capable of becoming his rival. This was Livius Drusus, whose happy natural parts had been cultivated by the most excellent education; besides which, he was rich, eloquent, and one of the principal citizens of Rome in every respect. The Great applied to him, and pressed him to oppose Caius, and unite with them, not in violently contending against the people, and resisting what they desired; but on the contrary, in studying to please them in all things, and even in those for which it had been glorious to have incurred their hatred. It was no longer a time for a Consul to say to the People: *I should be very glad, Romans, to please you; but I chuse much rather to preserve you, whatever disgust you may conceive for me in consequence.* This constancy seemed no longer in season: and it had cost the great Scipio Africanus his life, for desiring to follow these ancient maxims. The Senate therefore gave way on this occasion, and thereby attained their ends: but it must be confessed, it is at the expence of their glory.

An impulse of jealousy, common enough, and in a manner natural, to those who see some one of their Collegues raise himself above all the others,
 either

either by his merit or credit, and in some measure take upon him to lord it over the rest, was a sufficient motive to determine Drusus to give into the proposal made to him. The publick utility put into his hands, the honour of restoring the tranquillity of the State, and reconciling both parties, seemed also reasons worthy of a good citizen. He therefore gave himself up to the Senate: he proposed and passed laws, which had nothing meritorious, or of real use in them, but of which the sole end was to do still more for the people than Caius did, and thereby to deprive him of the affection of the multitude. The approbation given by the Senate to all the enterprizes of Drusus, shews plainly, says Plutarch, that it was not so much the laws of Caius, as his person itself, and too great authority, that had displeased him.

Accordingly, when Caius decreed the establishment of two colonies, for which he was for having the most worthy of the citizens chosen, the Senate rose up against him, and treated him as a flatterer of the people: and when Drusus established twelve, and sent three thousand of the poorest citizens into each of them, they supported him with their whole power. They did the same in every thing; and Drusus never failed, in proposing his laws, to declare, that he acted by the advice of the Senate; which much abated the People's rancour against the principal persons of that body, and almost entirely extinguished the animosity, which the Gracchi had fomented between the two orders.

Such was the undoubtedly salutary effect of the Senate's policy, and of the laws of Drusus: an effect, which manifestly gave the superiority to the cause of the Great over that of the Gracchi, as all the measures of the two brothers tended only to sowing division, whereas those of the Senate re-
stored

A. R. 630. stored concord. Let us add, that if it was for the
Act. C. 122. good of the State, as cannot be denied, that the principal authority of the government should remain in the hands of that august body, rather than be abandoned to the caprice of the multitude, the end which the Senate proposed in the laws of Drusus, was good and laudable; though the means they employed, were below their dignity.

Caius carries a colony to Carthage. Plut. App. p. 85. Caius might have perceived, that his credit declined. An action of his at this time gives reason to doubt, whether he was aware of it or not. Q. Rubrius, one of the Tribunes, not to continue idle whilst his Collegues were so busy, and to distinguish himself also by something memorable, caused it to be decreed by the People, that Carthage, which had very lately been destroyed by Scipio, should be rebuilt, and a colony sent thither. At the time of its destruction, it had been forbidden to inhabit it for the future in the name of the Roman People, with horrible imprecations against such as, contrary to his interdiction, should undertake to rebuild it. Caius was not terrified by them, and to make his court to the People, (perhaps also to remove the trophies of Scipio,) he undertook to repeople it, and carried a colony thither consisting of six thousand citizens. To remove from Rome in the present state of affairs, and to leave his rival there, was not acting like a good politician.

Drusus takes advantage of his absence. Drusus accordingly, taking advantage of his absence, made new efforts to engage the People, and conciliate their favour; wherein he was exceedingly assisted by the bad conduct of Fulvius. He was the particular friend of Caius, and commissioner with him for the distribution of lands; a man of a seditious and turbulent spirit, hated by the whole senate, and suspected by all good citizens, as promoting insurrections amongst the al-
 lies,

lies, and secretly exciting the states of Italy to re-^{A. R. 630.}
volt. These were only reports, that were sup-^{Ant. C. 122.}
ported by no certain and evident proof: by it his
conduct made them probable; for he never took
the right side of a question, and always declared
against union. This was what contributed most
to the ruin of Caius: for all the hatred conceived
for Fulvius, fell by reflexion upon him.

Caius however was employed in re-building and *Caius re-
re-peopling Carthage, of which he changed the turns to
name, and called it Junonia, that is, the city of Rome.*
Juno, the tutelar goddess of ancient Carthage, as
Virgil (a) has observed almost an hundred years
after. The tribune found obstacles to his projects,
as I have related in the preceding book. He
however persisted, and having regulated and or-
dained every thing in the space of seventy days,
re-imbarked and returned to Rome. Amongst
other motives, which induced him to hasten his re-
turn, one of the principal was his apprehension of
the Consulship of Opimius, whom he had set aside
the preceding year, but who actually stood now,
and was elected Consul for the year ensuing.

Caius found a change of disposition at Rome: *He changes
which might have made him sensible of his fault in his habita-
removing from it. To omit nothing, that might tion.*
regain him the favour of the People, he thought
it necessary to change his habitation. Instead of
residing on mount Palatine, he removed to below
the Forum; a much more popular place, because
it was the quarter of the inferior people, and
poorest citizens.

He conceived another more effectual means: *Decree of
this was the promulgation of several new laws. the Consul*
It is very probable, that the laws, which he pro-^{Fannius}

(a) Quam Juno fertur terris magis omnibus unam
Posthabita coluisse Samo——Æn. I. 20.

*contrary to
the interests
of Caius.*

A. R. 630.
Ant. C. 122.

posed on the present occasion, were those, which were intended for communicating the freedom of Rome, and the right of suffrage to the Latines and other states of Italy. The allies in consequence flocking to Rome from all parts, and surrounding Caius continually, the Senate persuaded the Consul Fannius to make all persons, that did not inhabit Rome, retire, and to leave none but citizens in it. An order almost unheard of till then, and which seemed very strange, was published by sound of trumpet, *prohibiting every one, who was not a citizen, to remain in Rome, or to approach nearer than five miles to the city, during the whole time that the new laws should be in deliberation.* Caius, on his side, affixed papers on all sides, complaining of this unjust proclamation of the Consul's, and promising to aid all the allies, who should continue in Rome, with force. He however did not keep his word. For seeing one of his friends and guests insulted by the Consul's officers, on account of disobeying that prohibition, he went forwards, and gave him no aid; whether perceiving his credit diminished, he was afraid to expose himself on the occasion, or, as he said himself, he was unwilling to give his enemies the pretext they sought of coming to blows, and drawing on some combat.

Caius
quarrels
with his
Collegues.

He happened at the same time to differ exceedingly with his Collegues, on the occasion I am going to relate. The People were to be present at a combat of gladiators to be exhibited in the Forum. Most of the magistrates caused scaffolds to be erected round the place, in order to lett them. Caius gave them orders to take them down, that the poor might have those places to see the shew without paying. As nobody obeyed his command, he stayed till the night before the games, and taking along with him all the carpenters and workmen

workmen at his disposal, he made them demolish all those scaffolds himself, and thereby rendered the place free for all the citizens indifferently. This action made the multitude consider him as a man of resolution and courage; but his Collegues were dissatisfied, and taxed him with boldness and violence.

LUCIVS OPIMIUS.

A. R. 631.

Q. FABIVS MAXIMVS.

Ant. C. 121.

Opimius had failed of the Consulship the year Caius is before, as I have already observed, through the credit of Caius, who at that time caused Fannius to be elected Consul. He was revenged on him this year, and Caius, in his turn, who expected to be chosen Tribune for the third time, was excluded from that office. According to some authors, he however had the plurality of voices: but his Collegues, perhaps in concert with Opimius, through envy and revenge, acted very unjustly in making their report of them. This point was not cleared up in time, and remained doubtful. The enmity between Caius and Opimius, which had appeared before, then broke out with more violence than ever, and was carried to the last excesses.

Opimius no sooner saw himself Consul, than he undertook to cancel several of Caius's laws. He insisted principally on that which regarded the re-establishment of Carthage; strongly reproaching Caius with having formed and executed that enterprise contrary to prior prohibitions, to rebuild the walls of that rival of Rome, and notwithstanding the will of the Gods, who had manifestly declared themselves by sinister omens and prodigies, which ought immediately to have made him desist from that design. A Tribune, supported by the

A. R. 631. authority of the Senate and Consul, accordingly
 A. R. C. 121. proposed the abolition of the law concerning the colony of Carthage, and perhaps of some other laws of Caius. The day for the assembly was declared for proceeding to deliberation upon these points. Caius at first supported all these affronts with patience, and seemed disposed to employ no measures against his adversaries but those of peace and justice; whether he diffided in his credit with the People, or prudentially avoided giving the Consul the occasion he sought to excite trouble, and proceed to violence. But his friends, and particularly Fulvius, animated him so strongly, that he drew his partizans together to oppose the Consul. He thereby acted very wrong, as, being only a private person, he resisted the publick authority with force.

The day the assembly was to be held, Opimius on one side, and Caius on the other, occupied the Capitol in the morning. The Consul having performed the sacrifice, one of his officers, called Q. Antyllius, who was carrying away the intrails of the victims, said to Fulvius, and the great multitude round him, *Make way, bad citizens, and let honest men pass.* This offensive word enraged them to such a degree, that they fell upon Antyllius, and killed him upon the spot with the bodkins (or *styli*) of their table books, which, it is said, they had purposely made larger than usual, in order to use them as arms upon occasion.

This murder occasioned a great tumult. Caius was extremely afflicted at it, and flew out against his followers, reproaching them that they had given their enemies an handle, who had long sought only a pretext for shedding blood. Opimius, on the contrary, considering this event as favourable to his designs, prepared to take the advantage of it, and excited the People to vengeance,

ance. But an heavy rain happened to fall, which obliged them to separate. A. R. 631.
Ant. C. 121.

The next day the Consul assembled the Senate; and whilst he was speaking, certain persons, by his own direction, having placed the body of Antyllus upon a bier, carried it across the forum to the Senate-house with great cries of grief. Opimius, on hearing this noise, feigned surprize, and all the Senators went out to see what was the matter. The bier having been set in the middle of the forum, they surrounded it, and lamented the murder, as a great disaster: Miserable comedy! which with reason excited the People's indignation.

“ They massacred Ti. Gracchus, the Tribune of
 “ the People, said they, and threw his body into
 “ the Tiber; and now when a Licor, who per-
 “ haps did not deserve his misfortune, but at least
 “ drew it upon himself by his imprudence, is ex-
 “ posed upon the forum, the Roman Senate sur-
 “ rounds his bier, raises lamentable cries concern-
 “ ing his death, and attends with pomp the fune-
 “ ral of a pitiful fellow, in order that they may
 “ succeed in destroying the last surviving defender
 “ of the Roman People.”

The Senate having afterwards returned into their house, passed a decree, by which the Consul was directed to provide for the safety of the Commonwealth: *UTI L. OPIMIUS CONSUL REM-PUBLICAM DEFENDERET.* *The Consul Opimius makes the Senate take arms.* This form gave him an unlimited power. The Consul then ordered all the Senators to take arms, and all the Knights to attend him the next day in the morning, each with two servants well armed. App. Civ. l. i 365. At the same time he caused Caius and Fulvius to be cited to come in person, and give an account of their conduct to the Senate.

A. R. 631.
Ant. C. 121.

They were far from complying with this summons, that is, from delivering themselves up to their enemies. Fulvius drew together and armed as many people as he could. Caius seemed to have no thoughts of his defence: but on returning from the forum, he stopt near his father's statue, looked at it a great while without speaking a word, and could not help shedding some tears, and venting some sighs, perhaps regretting too late his not having followed the example of so illustrious a father, who had always adhered to the party of the aristocracy; and had been so happy in effect. The People, who saw Caius in this condition, were moved with compassion. All of them, reproaching themselves with cowardice for abandoning and betraying such a protector, followed him home, and passed the night before his doors. They kept guard there; but mournfully, and with silence, reflecting upon the publick calamities, and those which threatened them in their private condition. At Fulvius's, on the contrary, nothing was seen but feasting and revelling; he made himself drunk first, and when heated with wine, there was no kind of rhodomontades, either in words, or in actions, by which he did not endeavour to signalize himself.

*Licia
exhorts
Caius to
provide
for his
safety.*

The next morning it was not easy to awake him. He however rose still intoxicated with the fumes of wine; and his people being armed, they all set forwards with great cries and haughty menaces, and seized mount Aventine. As to Caius, he refused to arm, and went out in his robe, as if to a common assembly, taking only with him a little dagger. When he was going, his wife Licia stopped him, and threw herself on her knees at the threshold, lifting up one hand, and holding her son in the other. “ She represented to him
“ in a voice mingled with sobs, the certain dan-
“ ger

“ger to which he exposed himself, in going in A. R. 631.
Ant. C. 121.
“that condition before the murderers of his bro-
“ther Tiberius. She praised his generosity in
“not being willing to take arms against his fel-
“low citizens; but she exhorted him at least to
“provide for the safety of his life. And lastly,
“if he was insensible to his own death, which
“would leave the Commonwealth without a de-
“fender, she conjured him in the name of the
“gods to have compassion on an unfortunate wife
“and tender infant, who would lose their all in
“losing him, and were upon the point of being
“exposed to all the indignities, that were to be
“expected from such furious and inhuman ene-
“mies as those who prosecuted his family.”

Caius disengaged himself gently from between her arms, and walked on in profound silence, surrounded by his friends. His wife desiring to follow him, in order to hold him by his robe, fell upon the ground, where she continued without voice or sense, till his domesticks, seeing her in a swoon, took her up, and carried her to the house of her brother Crassus.

When the followers of Caius and Fulvius were assembled on the Aventine, Caius, that he might have nothing to reproach himself with, prevailed upon Fulvius to send his second son with a caduceus in his hand to the forum. He was a youth of singular beauty, and the graces of his aspect were exalted by the humble and modest air, with which he approached, and by the tears which he shed in making the proposals of accommodation, with which he was charged, to the Consul and Senate. The majority of the Senators were not averse to treating. But the Consul Opimius would hear nothing. *It is not, said he, by heralds, those rebels are to explain themselves. Let them come in person to undergo their sentence as criminals, to ask*

*He endeavours an accommodation in-
effectually.*

A. R. 631.
Ant. C. 121.

grace in that condition, and disarm the wrath of the Senate offended by their revolt. At the same time, he ordered that young man to return, and expressly forbade him to come back, except he brought with him the submission of Caius and Fulvius to the Senate's orders. The young man having made his report, Caius would have obeyed, and appeared before the Senate, to vindicate himself. But all the rest having opposed it, Fulvius sent his son back again to make the same proposals a second time. Opimius, who only desired to terminate the affair by the method of arms, impatient to come to blows, caused young Fulvius to be seized, and having put him into the custody of persons he could confide in, he set forwards against the small army of Fulvius with a good body of infantry, and some Cretan archers, who discharging upon that troop, and wounding many, soon put the rest into disorder. The flight immediately became general. Fulvius retired into a publick bath, that had been abandoned, where he was found soon after, and killed with his eldest son. In this skirmish and flight two hundred and fifty were slain on the side of Fulvius. History does not tell us, whether there was any loss on the other side. We only know, that P. Lentulus, Prince of the Senate, received a considerable wound in it.

Fulvius killed upon mount Aventine, and his followers put to the rout.
Cic Phil. viii. 14.

Unhappy end of Caius.

As to Caius, he was neither seen to fight, nor to draw his sword. Highly afflicted with what passed, he retired into the temple of Diana. He there would have killed himself with his dagger; but he was prevented by Pomponius and Licinius, two of the most faithful of his friends, who took it from him, and prevailed upon him to fly. Caius, before he quitted the temple, fell on his knees, and lifting up his hands towards the goddess, implored her, that the Roman People, as a punishment

punishment for their black treachery and ingrati-
tude, (for most of them had abandoned him on
the first proclamation of an amnesty) might never
shake off the vile slavery, into which they volun-
tarily precipitated themselves. Those, who pur-
sued Caius, overtook him near the wooden bridge.
His two friends, who had not quitted him, made
head at the entrance of it, to give him time to
escape, and fought valiantly till they both fell
dead on the spot. But what is entirely strange,
all that multitude, who were present, all those
thousands, who were under such great obligations
to Caius, behaved now like simple spectators; en-
couraging and exhorting him to make off, as if
the affair had been only a common race, whilst
not one amongst them dared, I do not say take
upon them to defend him, but to give him an
horse, to enable him to fly with more speed. A
strong example this of the infidelity and cowardice
of the multitude; which ought to teach every man
of sense, that popular favour is a very frail sup-
port, which gives way immediately under those
who confide in it, when the danger becomes se-
rious. Caius, in the mean time, had retired into
a wood, sacred to the Furies. His enemies were
just at it, when Philocrates, one of his slaves, kill-
ed him, and then himself.

The Senate had not been ashamed to set a price
upon the heads of Caius and Fulvius, and to pro-
mise, by proclamation, to whomsoever should
bring them in, their weight in gold as a reward.
One of Opimius's friends, called Septimuleius,
having taken away the head of Caius from the
soldier, who had cut it off, carried it to the Con-
sul at the end of a pike. He had even the base-
ness and barbarity to take out all the brains, and
to fill up the scull with melted lead. It was found
to weigh seventeen pounds eight ounces, (about
fourteen

A. R. 631.
Ant. C. 121.

*His head,
upon which
a price had
been set, is
brought to
Opimius.*

A. R. 631.
 ANL. C. 121.

fourteen pounds Troy) which were immediately paid him in gold. He was reproached with this action some time after by a stroke of wit, which is not unworthy of being repeated here. He asked Scævola, appointed Proconsul in Asia, for an employment in his province. (a) *Why you are mad,* replied Scævola. *There are so many bad citizens in Rome, that I may venture to assure you, if you stay here, you cannot fail of making a great fortune in a short time.* Those who brought Fulvius's head, had nothing, because they were of the lowest of the rabble.

*His body is
 thrown
 into the
 Tiber.*

The bodies of Caius and Fulvius, and of all those who had either been killed in this tumult, or executed in prison by the Consul's order, to the number of three thousand, were thrown into the Tiber. All their estates were confiscated. Their wives were forbade to wear mourning. Licinia, the wife of Caius, was deprived of her dowry. Fulvius's second son, he who had been stopped by the Consul's order, when he came to propose conditions of accommodation, a youth of only eighteen years old, and very innocent of all things laid to his father's charge, who had neither fought, nor could fight, as he was a prisoner at the time of the skirmish, was however inhumanly put to death. All the favour shewn him was to chuse his death. But as he could not resolve on any, he was strangled in prison, notwithstanding his prayers and tears.

*Temple
 erected to
 Concord.*

What most sensibly shocked and afflicted the People, was the insolence of Opimius in building a temple to Concord in memory of this event.

(a) *Quid tibi vis, insane?
 Tanta malorum est multitudo
 civium, ut tibi ego hoc con-
 firmem, si Romæ manseris, te*

*paucis annis ad maximas pe-
 cunias esse venturum. Cic.
 de Or. ii. 269.*

For he seemed thereby to assume glory to himself from his cruelties, and to consider the murdering of so many citizens, as matter of triumph. It is from hence, that somebody, under the inscription upon the front of the temple, cut the following verse in the night, the sense of which is, *This temple of Concord is the work of fury and discord.* The allusion and elegance either of the Latin or Greek is not easily preserved in another language. *Vecordiæ opus ædem facit Concordiæ.* Ἔργον ἀπνοοίας πρὸν Ὀμνοοίας ποιεῖ.

The People, who had so basely abandoned the Gracchi to the fury of their enemies, after their deaths rendered them barren honours and too late regret. Statues were erected to them in publick: the places where they were killed were consecrated, and the first fruits of each season were carried to them. Many even offered sacrifices there every day, and said prayers on their knees, as in the temples of the gods.

The Great did not oppose these vain expressions of honour and respect, that had no tendency. But they applied themselves to abrogating the Agrarian laws, which really hurt them. They proceeded therein by degrees. They first caused the prohibition passed by Tiberius to be taken off by a Tribune; “ that those to whom the lands of the publick had been distributed, should not sell them,” which gave the Rich an opportunity of buying them of the poor, and even sometimes of seizing them by force. Another Tribune passed a decree, that all enquiries and distributions of the publick lands should cease, and that they should continue in the hands of those, who possessed them, paying a quit-rent to be distributed amongst the poorer citizens. This was at least a consolation and relief for the poor. But soon after a third Tribune discharged those lands from the quit-rent,

A. R. 631.
Ant. C. 121.

Honours
paid to the
Gracchi by
the People.

The Agrarian laws
of the
Gracchi.
annulled.

A. R. 631.
A.D. C. 121. rent, that had lately been laid upon them. Thus the great design of the Gracchi was reduced to nothing; and a project so fatal to its authors left no trace of any utility either to particulars, or to the Commonwealth.

Retreat of Cornelia to Misenum. It remains for me to say something of Cornelia and Opimius. The body of Caius, having been taken out of the Tiber, no doubt by some friend of the Gracchi, was carried to Misenum, whither Cornelia had retired after the death of Tiberius. She there passed the remainder of her life in a country-house, without any change in her manner of living. Her extraordinary merit always drew about her the best company either of the learned, or the principal persons of the Commonwealth. She charmed all that came to see her, when she related particularities of the life of her father Scipio Africanus, and his manner of living. But she filled them with admiration, when, without the least sign of grief, or shedding a single tear, she gave the history of all her children had done or suffered, as if she had been speaking of persons entirely indifferent to her. It was even usual with her to say, speaking of the consecrated places, where they were killed, that they were tombs worthy of the Gracchi. This constancy, seemed so extraordinary to some, that they imagined her age and misfortunes had impaired her judgment and understanding. Weak people, says Plutarch, who did not know, how much an excellent genius and a good education can exalt the soul above fortune, and enable it to triumph over sorrow.

Fate of Opimius. As to Opimius, his Consulship was no sooner expired, than the Tribune P. Decius accused him before the People, for having put to death citizens without being tried or condemned according to the forms of law. Carbo, then Consul, the very person

person so intimately united with Caius, who had ^{A. R. 631.} been Commissioner with him for the distribution of ^{Ant. C. 121.} lands, who had carried his violence for that party to such an height, as to imbrue his hands in the blood of Scipio Africanus; this very Carbo was the defender of Opimius. What is still more surprizing, a criminal so deservedly odious to his judges, escaped condemnation. Carbo was one of the most eloquent orators of his time. But however, all that he had to say, and could actually alledge in vindication of Opimius, amounted only to insisting, that he had done nothing but by order of the Senate; so that his cause was that of the Senate itself. This, one would think, was a reason for the People to condemn him: he was however acquitted. Perhaps the multitude had not yet recovered the terror, which the recent examples of the dreadful revenge of the Senators had given them.

But if Opimius extricated himself out of this danger, it was only to sink under a more ignominious accusation some years after. Having been sent Commissioner to the court of Numidia, he suffered himself to be corrupted by Jugurtha, and at his return was formally condemned. He passed his old age in obscurity, equally despised and abhorred by the People. (a) Cicero every where gives him great praises. This is not surprizing. Besides the general interest of the aristocratical party, Cicero had a personal one in the cause of Opimius. He had been banished himself for having caused the accomplices of Cataline to be put to death, without observing the juridical forms. Opimius's case had too much resemblance to his

(a) Hunc (Opimium) flagrantem invidia propter interitum C. Gracchi semper ipse populus Romanus periculo liberavit. Alia quædam civem egregium iniqui judicii procella pervertit. *Pro Sext.* 140.

A. R. 631.
Ant. C. 121.

own, not to interest him much. Besides which, the judges, who condemned Opimius, were the Roman Knights established in the judicature by Caius Gracchus: and their hatred for the murderer of Caius had a great share in the condemnation of that unfaithful and avaricious Commissioner. This is what authorizes Cicero to tax this sentence with injustice.

*Reflexion
upon the
Gracchi.*

I cannot make an end of the history of the Gracchi, without looking back a little upon them; and running over their different qualities with a general view. The mild and insinuating eloquence of the one, the warm and animated of the other, both excellent in the highest degree, was the least part of their merit. They both gave glorious proofs of their valour and conduct during their service in war; and were capable, according to Plutarch, of becoming equal to the greatest Captains, if they had lived longer. They were equally beloved and esteemed by the troops, and lived familiarly with them, without thereby lessening the respect due to their birth, and superior talents. The glory of their family served only to inspire them with noble sentiments and inclinations, and an ardent desire to support the lustre of it by their behaviour. They had all the qualities necessary in government; an air of authority tempered with mildness; an happy penetration; a great extent of views and designs; indefatigable application to affairs; a generous disinterestedness, in effect of which, they always kept their hands unsullied in the highest employments; and lastly, a great love of publick good, and an avowed abhorrence for all injustice.

It must also be owned, and their greatest enemies have confessed it, (a) that amongst the many

(a) (Gracchorum) consiliis, sapientiâ, legibus, multas esse video Reipublicæ partes constitutas. *Cic. in Rull. ii. 10.*

establishments they undertook, and laws which they passed, there were some of real utility to the Commonwealth. Some circumstances, which I could not conveniently insert in their history, will supply us with a proof of what I advance. For instance, every body must approve the erecting of publick granaries, by the means of which the city of Rome would always have a sufficient provision of corn, and never be exposed to the calamities of famine. The law passed by Caius for the security of the citizens persons against the violence of magistrates, and to subject those to the greatest penalties, who should cause them to be whipt, or put to death, was the asylum of the weak: and we see in the Acts of the Apostles, the use St. Paul made of it more than once, and the terror he gave those, who had violated it. He was also the author of another very wise law, against such as by cabals and intrigues should cause an innocent person to be condemned. The Senate itself was obliged to him for a law, by which their body alone were authorized to determine the provinces of Generals and Magistrates, and which prohibited the opposition of the Tribunes to be admitted in respect to the provinces of Consuls. Plutarch tells us, that the same Caius frequently opened excellent counsels in the Senate; and cites an example of this kind. Fabius, Proprætor in Spain, having sent corn, which he had levied in his province, to Rome, Caius persuaded the Senate to sell it, and return the money to the cities of Spain, that had supplied it, and at the same time to reprimand the Proprætor severely, for rendering the Roman government odious to the subjects of the Commonwealth.

What a pity it was that so many noble qualities and great actions should be dishonoured by a single vice. Ambition rendered the Gracchi, not
useless,

A. R. 631.
Ant. C. 121.

Act. A-
post. xvi.
37, 38.
and xxii.
25, 26.
Cic. pro
Cluent.
141.
Id. pro
Domo &
de prov.
Conf. 3.
& 17.

A. R. 631.
Ann. C. 121.

useless, but fatal to their countrey. “ An (a) in-
“ ordinate thirst of glory, and an unbounded de-
“ fire of raising themselves and lording it over
“ others, is, says Cicero, the great danger of
“ those, who pique themselves upon elevation of
“ sentiments and greatness of mind, and this often
“ makes them commit great injustice.” To what
excesses did not the Gracchi run on? Though
equity had been the motive of Tiberius in his
scheme of the Agrarian law, how shall we excuse
his, and his brother’s inveteracy, for depressing the
Senate, which was the soul of the Commonwealth,
and depriving that august body of its most valua-
ble and legitimate rights? Should not the murder
of Scipio Africanus, which was the effect of these
divisions, and of which Caius cannot be supposed
innocent, inspire horror for those, who perpetrated
so black a crime? Accordingly, all the wisest and
most judicious persons have been lavish in stigma-
tizing the Gracchi with the terms of factious, se-
ditionary, and wicked citizens: and their deaths have
been considered as punishments justly deserved.
Let us conclude, that there can remain no doubt
either in respect to the merits of the two brothers,
or the ill use they made of it.

However, I do not entirely approve the con-
duct of their adversaries. The Senate, on this
occasion, degenerates in a strange manner from the
modesty and wise condescension, that in former
times had reflected so much honour upon it in civil
divisions. In this light we discern a sanguinary
violence and detestable cruelty in them, to which
the Gracchi, and especially Caius, oppose only a

(a) Illud odiosum est, quod in hac elatione & magnitudi-
ne animi facillimè pertinacia,
& nimia cupiditas principatûs
innascitur --- Facillimè autem ad res injustas impellitur, ut
quisque est altissimo animo, &
gloriæ cupido: qui locus est
sanè lubricus. *Cic. de Offic. l.*
64, 65.

mode-

moderation, that cannot be sufficiently commend-
ed. These two brothers, who were so brave
against the enemy, have no courage to shed the
blood of their fellow-citizens. The Gracchi de-
fend a bad cause in a manner, the Senate ought to
have employed in the defence of a good one.

A. R. 631.
Ant. C. 121.

S E C T. II.

Wines of the Consulship of Opimius. Africa ruined by grasshoppers, and afterwards infested with a plague, occasioned by their dead bodies. Sempromius triumphs over the Japodes, and Metellus over the Dalmatians. War against the Balearians, and some States of Gallia Transalpina. Fulvius triumphs first over the Transalpine Gauls. Sextius subdues the Salluvians, and builds the city of Aix. The Allobroges, and Arverni draw the Roman arms against them. Opulence of the latter people. Embassy from the King of the Arverni to Domitius. The Allobroges and Arverni are defeated by Domitius. Great victory gained by Fabius over the same people. Perfidy of Domitius in respect to Bituitus. Roman province in the Gauls. Trophies erected by the victors. Their triumphs. War against the Scordisci. Lepidus noted by the Censors for living in an house of too great a rent. Thirty-two Senators degraded by the Censors; amongst the rest Cassius Sabaco, Marius's friend. Beginnings of Scaurus. Character of his eloquence. His probity suspected in matters of gain. He had wrote his life. His Consulship. He is elected Prince of the Senate. Good fortune of Metellus Macedonicus. Surprizing accumulation of dignities in the house of the Metelli. Three vestals suffer themselves to be corrupted. They are condemned. The orator Marcus Antonius involved in this affair, and acquitted. Temple erected to

Venus VERTICORDIA. Human victims. Carbo accused by L. Crassus. Generosity of Crassus. His timidity. Single occasion on which Crassus opposes the Senate. C. Cato condemned for extortions. Scrupulous exactness of Piso in respect to a gold ring.

THE * desire of relating all that concerns the Gracchi together, has obliged me to omit many facts, to which it is now time to return. To these I shall add the events of the years elapsed between the death of C. Gracchus and the war with Jugurtha; which were nine. The whole affords only very dry and barren matter. The monuments come down to us of the facts I am going to relate, we have either from writers of so little value, that their works deserve rather the name of Gazettes than of Histories, or from some detached fragments of more estimable authors. Freinsheimius, in his supplement to Livy, has collected all these dispersed fragments, to form the matter and series of the history. In this he has done literature great service, and has supplied me with a very useful aid.

Before I begin to relate the wars, made by the Romans during the space of time I propose to run over, I am going to insert here two singular circumstances, entirely distinct from any thing else, and which may be considered as facts of natural history.

Wines of the Consulship of Opimius. The first is, that the year Opimius was Consul, was singular for wines, all species of which came in it to the highest degree of ripeness and good perfection. Every body knows, that the

* All this part of the history omitted the facts contained in to the war with Jugurtha, is it, no doubt with design to recur to them. the Editor's. Mr. Rollin had

Romans

Romans kept their wines during many years: but those of Opimius's Consulship subsisted ages. Some of it was in being in Pliny's time, almost *Plin. xiv.* two hundred years after it was made: but it was of the consistence of honey, and so bitter, that it was impossible to drink it, without mixing it with a great quantity of water. In consequence little of it was drank. It was only used to give a flavour to other wines, with which it was mixed in very small portions. It is easy to judge, that the price of it was become excessive. F. Hardouin deduces from the text of Pliny, (which to me seems very obscure) that an hundred and sixty years after the Consulship of Opimius, this wine was sold for about four pounds ten shillings an ounce.

The other event is some years prior to this, and *Africa* of a quite different kind. In the Consulship of *ruined by* M. Fulvius Flaccus, the 627th year of Rome, a *grasshop-* dreadful multitude of grasshoppers overspread all *pers, and* Africa, that is, what we now call the coasts of *after-* Barbary, and did not only eat up the corn in the *wards in-* *fested with* blade, herbage, and leaves of trees, but even the *a plague,* bark and wood. And this was but the least part *occasioned* of the evil, which the country sustained from *by their* them. A great wind carried them all into the *dead bo-* sea, where they were drowned. But the waves driving their dead bodies upon the coasts, immense heaps of them accumulated, which infected the air to such a degree, that a pestilence ensued amongst men and beasts. I do not know, whe- *Orof. v.* ther Orosius is to be believed on this head. But *11.* that writer assures us, eight hundred thousand men perished in the kingdom of Micipsa, or Numidia, and two hundred thousand in the province of Carthage. He adds, that an army of thirty thousand men, which the Romans kept in Utica for the defence of the province, were destroyed by

the contagion, so that not a single man survived: and that on one day fifteen hundred dead bodies were carried out through one of the gates of that city. I fear there is some exaggeration in this account. But that there was a pestilence occasioned by the dead bodies of grasshoppers is certain, and suffices to shew, that when it is the will of God to punish mankind, the least and vilest insects may become dreadful scourges. Livy, in some parts of his history, mentions great havock caused by clouds of grasshoppers; and he even tells us, that in the year 579, a Prætor was sent into Apulia to assemble the country people, to make war upon this new kind of enemies. But the example, which I have related here, is the most extraordinary we find in the history of any times.

Liv. Epit.
lx.
Jul. Obs.

W A R S.

Amongst the wars of which I am now to speak, those against the Japodes and Dalmatians were little considerable.

Sempronius triumphs over the Japodes, and Metellus over the Dalmatians.
Appian. Illyr.
The Japodes were a nation mixed with Illyrians and Gauls, who inhabited almost the same, now called *Croatia*, between the Sava and the Adriatick Sea. These people having offended the Romans by incursions and ravages made upon the lands of the Commonwealth bordering upon them, were attacked and conquered in one campaign by the Consul C. Sempronius Tuditanus, the 623d year of Rome. The victor was granted the honour of a triumph.

That honour cost L. Cæcilius Metellus still less to acquire, if it be true, as Appian tells us, that the exploits of this Metellus were only having marched an army into the country of the Dalmatians, against whom he had caused war to be declared without any just cause, and having passed the

the winter without acting at * Salona, into which he had been received as a friend. The LXII. epitome of Livy says nevertheless, that he subjected the Dalmatians. However that were, L. Cæcilius Metellus, having been Consul in 633, triumphed over the Dalmatians in 634, and assumed the surname of *Dalmaticus*.

Q: Metellus, his near relation, had some years *War a-* before set him the example of seeking easy con-*gainst the* quests, by which a name might be acquired with-*Baleares.* out much danger, or much regard to justice. He had attacked the Baleares, a people hitherto almost savages, and who had never appeared in wars, but as auxiliaries to the Carthaginians.

The Baleares inhabited the two islands we now *Diod. Sic.* call Majorca and Minorca. As they lived almost *l. v. &* with all the simplicity of gross nature, they had *Strab. l.* undoubtedly no ambition to make war with the *iii.* Romans. Caves under the rocks, or holes in the earth, which they dug themselves, served them for habitations. They were almost naked, except that during the coldness of winter they covered themselves with sheep-skins. They found in their country, of which the soil is fertile, the necessities of life; except only wine, of which they were very greedy. Accordingly, such of them as had served in the Carthaginian armies, did not fail at their return to lay out all the money they had left in wine. For they were not allowed to bring that money into their country; the use of it being prohibited in both islands. They said, as Diodorus tells us, that Geryon's riches had of old been fatal to him, in drawing Hercules upon him as an enemy: and that, taught by that example, they had from the most remote antiquity always apprehended introducing a metal amongst

* A city now in ruins, which are shewn at four miles from Spolatro.

them, capable of exciting the avidity of other nations, and thereby dangerous to their repose.

They are particularly famous for their dexterity in the use of the sling: And they took a certain method for attaining it. They were exercised in it from their infancy: and mothers did not put bread into their children's hands, but made them beat it down with their slings. They united force with this address, and the best tempered arms were scarce proof against the stones they discharged. When they went to battle, they carried three slings with them of unequal length, according to the different distances, at which they might have occasion to use them against the enemy.

This people were pacific, as we have said. However, some individuals having leagued themselves with the pirates, that infested the seas, nothing more was wanting to give Metellus a pretext, who was Consul the 629th year of Rome, for carrying the war into their country. They were desirous to oppose the descent of the Roman army. But the Consul rendered their slings useless, by placing skins upon the sides of his decks, which deadened the blows. As soon as the Roman troops landed, they fled, and dispersed on all sides in the country, so that it was more difficult to find, than defeat, them.

To secure his conquest, Metellus planted two colonies, Palma and Pollentia, the one at the east, and the other at the west. He triumphed in 631, and assumed the surname of *Balearicus*. The family of the Metelli seem to have been very fond of these pompous surnames. The father of him I am now speaking of, had assumed that of *Macedonicus*, though what he had done in Macedonia was incomparably short of the conquest of that kingdom by P. Æmilius, who however took no new surname on that account. We see
here

here the son and nephew of Macedonicus, who adorn themselves with the titles of Balearicus and Dalmaticus. We shall soon see in the same family those of Numidicus, Creticus, &c. We see from the truth of Livy's observation, that the example of the first Scipio Africanus made way for the vanity of those, who came after, to adorn itself with the like titles, without having deserved them like him.

The war against some states of Transalpine Gaul, was more considerable than those of which I have spoke hitherto, and incurred by juster causes.

The Romans had not yet made any conquest in Gaul beyond the Alps. They had before passed those mountains in the 598th year of Rome. But this expedition, which we have related in its place, had no other consequence than to secure the tranquility of the People of Massylia, [Marseilles] at whose request it had been undertaken, against the incursions and insults of their neighbours.

It was again at the request of the same Massilians, that the Romans, at the time of which we are speaking, passed the Alps. But they did not content themselves with having aided their allies. They established a lasting settlement in the Gauls, and began to form a province, or conquered country, there.

M. PLAUTIUS HYPSEUS.

M. FULVIUS FLACCUS.

A. R. 627.
Ant. C. 125.

The * Salluvians, a people of † Gaul, in whose territory Massilia had been built, had always considered the augmentation of that foreign colony with a jealous eye. The Massilians, harrassed and

* This people is called Salyi, Salvii, and Salluvii.

† Some authors make this people Ligurians by origin: but they were settled in Gaul.

A. R. 627. Ant. C. 125. fatigued by them, had recourse this year to the protection of the Romans. Rome had then Fulvius for Consul, the friend of Caius, a turbulent and seditious man, whose unfortunate end we have related. The Senate was very glad to remove a factious Consul; and Fulvius no less to have an occasion of acquiring a triumph. To his great satisfaction therefore, as well as that of the Senate, he was charged with the war against the Salluvians.

A. R. 628.
Ant. C. 124.

C. CASSIUS LONGINUS.
C. SEXTIUS CALVINUS.

The exploits of Fulvius in Gaul were not very considerable. He however obtained the honour of a triumph either through the favour of the People, or because the Senate itself believed a triumph over the Transalpine Gauls an happy presage. C. Sextius, Consul of this year, was sent to relieve him. But he did not set out, till towards the end of his Consulship, or the beginning of next year in quality of Proconsul.

A. R. 629.
Ant. C. 123.

Q. CÆCILIUS METELLUS.
T. QUINTIUS FLAMININUS.

Sextius subjects the Salluvii, and builds the city of Aix. Sextius finding the war rather just began, than much advanced, by Fulvius, carried it on with vigour. He gained several small advantages over them, and at length a considerable victory near the place, where the city of Aix now stands. This General, by a wise moderation, highly necessary in new conquests, had the address to unite lenity with force and the terror of arms. Diodorus relates, that at the time he had ordered the inhabitants of a city of the enemy to be sold, which he had taken, one Crato, who was in chains

Diod. ap.
Vales.
p. 377;

amongst

amongst the rest, came to him, and told him, he A. R. 629.
Ant. C. 123: had always been a friend of the Romans, and on account of his attachment to their interests, had suffered much ill treatment from his countrymen. Sextius, on being assured of the truth of the fact, not only gave Crato, and all his family liberty, but suffered him to deliver nine hundred prisoners at his choice from slavery.

The Proconsul took up his winter-quarters in the place where he had fought the battle; and as the country was good, and abounded with springs, of which some were hot, he built a city there, which from those waters, and the name of its founder, was called *Aquæ Sextiæ*. This is now the city of Aix, the capital of Provence.

He also cleared all the coast from Marseilles to Italy, by driving away the Barbarians to a thousand or fifteen hundred paces from the sea: and he gave the whole extent of those coasts to the Massilians. The following year he returned to Rome, and triumphed, having been succeeded by Cn. Domitius, of whom we shall now speak.

C. FANNIUS.

A. R. 630.

Cn. DOMITIUS AHENOBARBUS.

Ant. C. 122.

The Salluvii were subjected, but the war was The Allo- not over. Their misfortune, and no doubt the broges and apprehension of the like fate, engaging other the Arver- powerful neighbouring states in their cause; and ni draw Domitius on arriving in Gaul, found more enemies the Roman than Sextius had overcome. Teutomalius, the arms upon King of the Saluvii, had retired into the country of the Allobroges, who openly took upon them his defence: and Bituitus, King of the Arverni, who had given refuge in his dominions to many of the principal persons of the conquered nation, sent themselves. even

A. R. 630. even Ambassadors to Domitius, to demand their
 Ant. C. 122. re-establishment.

Those two states united formed a very considerable power. The Allobroges inhabited the whole country between the Rhone and the Isara, as far as the lake of Geneva: and the Arverni not only
 Strab. l. ii. possessed Auvergne, but, if we believe Strabo,
 p. 291. almost the whole southern part of Gaul from the Rhone to the Pyrenees, and even to the ocean.

Opulence of the latter. The opulence of the last was in proportion to the extent of their territory; and it is said of Luerius their King, the father of Bituitus, who then
 Posidon. reigned, that to shew his riches, and gain the fa-
 apud vour of the multitude, he crossed a large plain in
 Athen. l. a chariot, throwing on all sides pieces of gold and
 v. c. 13. silver, which thousands of Gauls gathered, as they followed him. It is added, that being desirous to give a feast, he formed an inclosure of fifteen hundred paces square, in which he caused tons to be placed full of costly liquor, and so prodigious a quantity of provisions of all kinds, that during several days, as many as pleased were entertained at table, without the least interruption of the feast.

Embassy from the King of the Arverni to Domitius. We have said before, that Bituitus sent an embassy to Domitius. It was magnificent, but of a singular kind, that amazed the Romans. The Ambassador superbly dressed, and attended by a numerous train, had also a great pack of dogs with him, and one of those Gaulish poets, called Bards, whose employment was, in his verses and songs to celebrate the glory of the King, the Nation, and the Ambassador. This embassy was ineffectual, and probably served only to inflame the division on both sides.

App. ap.
 Fulv. Ur-
 sin.

A new subject of war was supplied by the Ædui, who inhabited the country between the Sacne and the Loire, and whose principal cities were

were those now called Autun, Chalons, Mâcon, and Nevers. These people were the first of Transalpine Gaul, that sought the alliance of the Romans. They deemed it a great honour to be termed their *Brothers*; a title which was often given them in the decrees of the Senate. The Arverni and they had been very warm rivals in all times, concerning the first rank and principal power in Gaul. At the time of which we are speaking, the Ædui, attacked on one side by the Allobroges, and on the other by the Arverni, had recourse to Domitius, who heard them favourably. Accordingly every thing was prepared for the war.

L. OPIMIUS.

Q. FABIVS MAXIMVS.

A. R. 631.
Ant. C. 121.

The Allobroges and Arverni spared the Roman General the pains of marching in quest of them: they advanced against him, and incamped at the confluence of the Sorgue and the Rhone, a little above Avignon. The battle was fought there. The Romans were victorious: But they were principally indebted for their success to their elephants, whose strange and unusual form terrified both the horses and their riders. The smell of the elephants, insupportable to horses, contributed undoubtedly to this disorder. Orosius tells us, that twenty thousand remained on the spot; and three thousand were taken prisoners.

So great a defeat did not discourage the two allied people. They made new efforts: and when the Consul Q. Fabius arrived in Gaul, the Allobroges and Arverni sustained by the Rutheni (people of Rouergne) marched against him with an army of two hundred thousand men. The Consul had only thirty thousand: and Bituitus despised

A. R. 691.
 Ann. C. 121. despised the small number of the Romans so much, that he said they were not a match for the dogs in his army. The event shews on this occasion, as well as many others, how much advantage good order and discipline have over multitude.

Great victory gained by Fabius over the same Gauls. The armies met near the confluence of the Isara and the Rhone. The accounts come down to us, teach us little in respect to the circumstances of this great action. The Gauls did not sustain the first charge of the Romans, if it be true, as we find it in historical monuments, that they lost at least an hundred and twenty thousand men in it, and that only fifteen were killed on the side of the Romans. The Consul discharged the functions of General with amazing good conduct in this battle, though he was actually sick of an ague, or, according to others, still weak from a wound he had received some time before. He caused himself to be carried in a chair from rank to rank; or, when it was necessary to be set down, supported under the arms, he gave his orders, and animated his soldiers to do their duty. It is to be presumed, that he attacked the enemy, either whilst they were passing the Rhone, or immediately after, without giving them time to draw up and form their line. A vigorous charge presently put this army into confusion, which its multitude, far from being an advantage, served but to augment. But the flight was exceedingly difficult. The Rhone was to be passed over two bridges, one of which had been built in haste with boats, and with little solidity. It broke under the weight of the multitude that fled, and thereby occasioned the loss of an infinite number of Gauls, who were drowned in that river, which, every body knows, is excessively rapid. Some undoubtedly were pressed hard, and pushed into the river. Many more perished in the water, than by the swords of the victors.

victors. This great victory was gained by the Romans on the 10th of August: and the Consul, according to Pliny, even gained in it the recovery of his health, and was rid of his fever from the 50. day of battle. A. R. 631.
Ant. C. 121.
Plin. vii.

The Gauls, crushed by so great a blow, resolved to ask peace. Nothing remained, but to know to which of the two Roman Generals to apply: for Domitius was still in the province. Reason was for preferring Fabius, who was Consul, and whose victory was far more glorious than that of Domitius. They did so: but Domitius, a proud and haughty man, revenged himself for it upon Bituitus, by a black treachery. He engaged that Prince to come to his camp under the pretext of an interview; and when he had him in his power, he caused him to be laden with chains, and sent him to Rome. The Senate could not approve so criminal an act; but would not lose the advantage of an useful perfidy: so much did, what politicians call *Reasons of State*, prevail at that time in the Roman Senate over the rules of honour and justice. Bituitus was kept prisoner. It was also decreed, that his son Cogentatius should be taken, and brought to Rome. A kind of half-justice was however done that young Prince. After great care had been taken in his education, he was sent back to the kingdom of his forefathers, where he faithfully cultivated the amity he had sworn to the Romans. Treachery
of Domi-
tius in re-
gard to
Bituitus.
Diod. ap.
Valef.
P. 386.

It appears, that the conquered states were differently treated by the Romans. The Allobroges were made subjects of the Commonwealth. As to the Arverni and Rutheni, Cæsar tells us, that the Roman People pardoned them, did not reduce them into a province, and imposed no tribute upon them. Hence it is probable, that the Roman province in the Gauls at first included only the Roman
province in
Gaul.
Cæf. de
Bell. Gall. countries

A. R. 631. countries of the Saluvii and Allobroges. The
 Ant. C. 120. following years do not afford any more considerable events; though it is not unlikely, but that the Consuls of those years were sent into Gaul, and perhaps extended the Roman province along the sea as far as the Pyrenees. It is however certain, that three years after the victories we have just related, the Consul Q. Marcius founded the colony of Narbonne, to which he gave his name, *Narbo Marcius*. We cannot better express the design of this settlement than in Cicero's terms, who calls Narbonne (a) the watch-tower of the Roman People, and their bulwark against the Gaulish nations.

A. R. 632. I return to Domitius and Fabius who continued
 Ant. C. 120. in Gaul part of the year 632. They both erected
Trophies trophies, adorned with the spoils of the enemy, on
erected by the fields of battle, where they had defeated them.
the victors. This was a novelty to the Romans, who, as an historian (b) observes, never insulted the states they subjected with such monuments. Pompey also erected a trophy on the Pyrenees, after having quieted Spain and was blamed for it. It has been farther remarked, as an instance of pride and arrogance in Domitius, that he made the tour of the province riding upon an elephant. This kind of circumstances, which denote characters, ought not to be omitted in an history intended to promote the knowledge of men.

Their triumphs. On their return to Rome, both Fabius and Domitius obtained triumphs. That of Fabius was both the first and the most splendid. Bituitus was

(a) *Narbo Marcius colonia nostrorum civium, specula populi Romani, ac propugnaculum istis ipsis nationibus oppositum & objectum. Pro Font. n. 3.*

(b) *Nunquam populus Romanus hostibus domitis victoriam suam exprobat. Flor. iii. 2.*

the principal ornament of it. He appeared in it A. R. 632.
Ant. C. 121. sitting in the same silver chariot he had used on the day of battle, and with his arms painted with different colours. In consequence of his victory, Fabius assumed the name of *Allobrogicus*, and thereby augmented the glory of the house *Fabia*, of which he had been the disgrace by his ill conduct in his youth. An uncommon example! but which proves however, that, though the early part of life past in debauchery gives reason to apprehend the same for all the rest of it, it does not however determine that absolutely as a necessary consequence. Fabius Allobrogicus was the son of Q. Fabius, Scipio's eldest brother, and consequently the grandson of Paulus Æmilius.

It remains for me to speak of the war against *War with the Scordisci*, a * Gaulish nation by origin, but the Scordisci. transplanted to the banks of the Danube. Their Justin. forefathers in antient times had accompanied Bren- xxxii. 3. nus in plundering the temple of Delphi. After the horrid disaster, which ruined that army, as has Ant. Hist. been related elsewhere, the remains of it dispersed Vol. VII. into different countries. Part of it settled about the confluence of the Danube and the Save, that is to say, in the country where Belgrade now stands, and took the name of Scordisci. Their natural ferocity increased by the rigour of the climate they inhabited, and by their commerce with the barbarous nations around them, carried them on to acts of cruelty, which the Roman historians Flor. iii. 4. cannot mention without horror. They tell us, that they sacrificed human victims to Bellona and Mars, drank out of the skulls of their enemies, (this was customary with the Gauls) destroyed their prisoners with fire, or stifled them with smoke;

* I follow Justin; but do not pretend to warrant the truth of what he advances.

and lastly, which can hardly be told without trembling, ripped up women with child, and destroyed at once both mothers and the fruit of their wombs.

The occasion of the war between the Romans and these Barbarians is not known: but C. Cato, the first Consul, who commanded against the Scordisci, was entirely defeated the 638th year of Rome. He suffered himself to be drawn on by the enemy, who united stratagem with force, into forests and mountains, where the Roman army was entirely destroyed. The victors spread like a torrent into the provinces of the Commonwealth, as far as Dalmatia and the Adriatick sea. That barrier stopt them: but in rage and revenge, if we may believe Florus, they discharged their darts against the waves, that opposed an invincible obstacle to their progress.

The Roman Generals, who succeeded Cato, were more fortunate: and history mentions three, T. Didius, M. Livius Drusus, and M. Minucius, who gained several victories over the Scordisci; after which little is said of this nation.

Affairs of the City, and other detached Facts.

A R. 627. Two Censorships first give us some great examples of severity.

Lepidus noted by the Censors for inhabiting an house of too great a rent. The Censors Cn. Servilius Cæpio, and L. Cassius Longinus, cited M. Æmilius Lepidus before their tribunal, as guilty of luxury and profusion, for paying six thousand sesterces a year (about 35^l. sterling) for the house he lived in. Velleius Paterculus, who relates the fact, adds this reflexion: “ In (a) these days, if any of us were to pay so

(a) At nunc si quis tanti habitet, vix ut Senator agnoscitur. Adeo maturè à rectis in vitia, à vitiis in prava, à pravis in præcipitia pervenitur. *Vell. ii. 10.*

“ little

“ little for an habitation, he would scarce be
 “ owned as a Senator. So sudden is the fall
 “ from good to bad, from bad to depravity,
 “ and from depravity to the greatest excesses.”

The same Lepidus had also at the same time, or not long before, another affair as singular upon his hands. He was accused before the People, and Val. Max. fined for having built a country-house too high at ^{viii.} some distance from Rome.

All remedies were too weak against the corrup- A.R. 637.
 tion of manners, which continually gained ground: ^{Thirty-two}
 and ten years after the time of which I have just ^{Senators}
 spoke, Metellus Dalmaticus and Domitius Ahenobarbus being Censors, degraded ^{degraded}
 thirty-two Senators: to find so many persons worthy of being ^{by the}
 noted in that illustrious body, was a thing without ^{Censors.}
 example. Amongst these degraded Senators was
 one of Consular dignity, C. Licinius Geta, who
 was Censor himself sometime after; whether he
 had retrieved his reputation by a change of con-
 duct, or perhaps the very vices, that had drawn
 that disgrace upon him, served to recommend him
 to a great number of citizens, who might have
 good reason to desire to have a Censor personally
 interested in not carrying severity too far.

Another note of infamy, inflicted by the same ^{Cassius}
 Censors Metellus and Domitius, fell by reflexion ^{Sabaco.}
 upon Marius, then Prætor, but still far from the ^{Marius's}
 greatness and glory, to which he afterwards at- ^{friend,}
 tained. It was pretended, that to raise himself to ^{among}
 the Prætorship, he had used false suffrages: and ^{others.}
 what authorized this suspicion was, that a slave of
 Cassius Sabaco, the intimate friend of Marius, had
 been seen amongst those who voted. The Præ-
 tor elect was accused in form, and his judges in-
 terrogated Cassius, who replied, that being very
 dry, he had made his slave bring him a glass of
 water, who immediately withdrew. The affair

went no farther before the judges : but the Censors thought, that Cassius deserved to be noted, either for his intemperance, if he had spoke the truth, or for perjury, if otherwise ; and degraded him from the ranks of a Senator.

The same year M. Scaurus was Consul, an illustrious person, whom we shall have occasion to mention frequently in the sequel. For that reason I take the present occasion to introduce him. He *Beginnings of Scaurus.* was a Patrician, of the house *Æmilia*, but of a branch fallen into such extreme poverty, that his father had been reduced to maintain himself by dealing in charcoal. He himself was sometimes in suspense whether he should not take up the profession of a banker. But being conscious of merit, he threw himself in the way of honours, and resolved to labour with courage to overcome ill fortune, and to renew the almost extinct glory of his name. He applied himself to the study of eloquence and pleaded very much. The *Character of his eloquence.* character of his eloquence suited that of his manners ; it was grave, austere, and void of ornaments. We have the following picture of it from the hands of Cicero. “ The (a) eloquence of Scaurus, a wise
“ and upright man, had in it a singular gravity,
“ and kind of natural authority , so that in plead-
“ ing for a client, he seemed rather a witness
“ than an advocate. This manner of speaking
“ was thought not so proper for the bar and be-
“ fore the people : but for giving opinions in the
“ Senate, of which he was long the chief and

(a) In Scauri oratione, sapientis hominis & recti, gravitas summa, & naturalis quædam inerat auctoritas : non ut causam, sed ut testimonium dicere putares, quum pro reo diceret. Hoc dicendi genus ad patrocinia mediocriter ap-

tum videbatur : ad Senatoriam verò sententiam, cujus erat ille princeps, vel maximè. Significabat enim, non prudentiam solum, sed, quod maximè rem continèbat, fidem. *Cic. Bruto. 111, 112.*

“ leading

“ leading man, it was admirable. For it not
“ only implied prudence, but what is more im-
“ portant, it carried with it an air of truth,
“ highly adapted to engaging confidence.” It ^{Auct. de}
appears, that he very early acquired the great au- ^{vir. illustr.}
thority in the Senate, of which Cicero speaks; as
many years before he was Consul, it is said, that
the decree, which armed Opimius against C. Grac-
chus, was passed by his advice.

As to probity, it is certain he had the outside of ^{His probity}
it in a supreme degree. Cicero praises him every ^{suspicious}
where as a man truly virtuous: but we must own, ^{in matter}
that other authors, as Sallust and Pliny, are not ^{of gain.}
quite so favourable to him upon this head, and ac-
cuse him of not being over nice in the means of
enriching himself. His reputation was not clear,
especially in respect to the gold of Jugurtha. We
shall speak of it in the sequel. It may also be
looked upon as another blot in his life, to have
been accused of caballing by P. Rutilius, the most
worthy man of Rome in his times; if the perso-
nal interest of Rutilius in that prosecution had not
diminished the weight and authority of his accu-
sation. They had demanded the Consulship at
the same time, and the preference having been
given to Scaurus, it may be believed, that animos-
ity and revenge magnified things in the eyes of
Rutilius. What is uncommon in this, was, that
Scaurus having been acquitted, accused Rutilius in
his turn of the same crime. But what may be
thought more for the honour of both, and per-
haps most true, is, that both were wrong in their
accusations.

For the rest Scaurus, full of a noble confidence ^{He wrote}
in himself, and as well as Cato major, between ^{his own}
whom and him there is a great similitude of cha- ^{life.}
racter, (a) not being in the least inclined to abate

(a) Haud sanè detractor laudum suarum. Liv. xxxiv. 15.

any thing of the praise he might deserve, wrote his own life in three books : and (a) Tacitus observes, that neither he, nor Rutilius, who did the same, were either censured, or disbelieved.

Scaurus did not neglect the art military, and made some campaigns in his youth. When he was *Ædile*, he applied himself entirely to the functions of his charge; that regarded the government of the City ; and in the games, which he was to give the People, he did not pique himself upon a trivial magnificence, which was equally incompatible with the smallness of his fortune and his natural disposition. His *Prætorship* is entirely unknown; and as to his *Consulship*, we have some detached circumstances, which I am going to relate.

His Consulship.

He sustained the rights of his dignity with haughtiness : and P. Decius, who was *Prætor*, having continued sitting as he passed by, Scaurus commanded him to rise, ordered his robe *Prætexta* to be torn, and his curule chair to be broken in pieces, and prohibited all persons whatsoever to appear before his tribunal.

Frontin. Strat. iii. 4.

He had Gaul for his province, and gained some advantages over people little known, which however acquired him the honour of a triumph. But the exact discipline, which he caused to be observed in his army, is much more estimable : it was so strict, that, as he tells us himself, a fruit-tree, which happened to be within his camp, was so secure from the soldiers, that the next day, when the army decamped, it had not lost one of the fruit, with which it was laden the night before.

(a) Plerique suam ipsi vitam narrare fiduciam potius morum, quam arrogantiam arbitrati sunt : neque id Ruti-

lio & Scauro citra fidem, aut obtracationi fuit. *Tacit. Agric.* n. 1.

As

As the war did not engross him during the whole campaign, he employed the leisure of his troops in useful works, and caused the marshes to be drained, which the inundations of the Po had formed in the countries of Placentia and Parma. For this purpose he caused vents to be opened, and canals of sufficient depth cut to carry off the water from the lands overflowed before.

Scaurus, during his Consulship, was elected *He is elected Prince of the Senate* by the Censors Metellus and Domitius, in the room of Q. Metellus Macedonicus, who died sometime before. *ed Prince of the Senate.*

Many writers, in emulation of each other, have celebrated the good-fortune of this Metellus Macedonicus. If we were to trace back the histories of all nations, ages, and conditions of the world, says Velleius Paterculus, we should scarce find a single person to be compared for good-fortune with Metellus. If we consider him as a publick person we see him adorned with triumph, and the most exalted dignities; we see him enjoy, during a long life, the first rank amongst his countrymen, and maintain warm contests in respect to the publick affairs, without the least blemish of his reputation. As a private person, never was father of a family more happy. He had four sons, all of whom he saw arrive at the age of maturity, and at his death had the consolation to leave all of them alive, and in the highest dignities. His bier was carried by his four sons, of whom one had been Consul, and was actually Censor; the second had also been Consul; the third was then Consul; and the fourth had been Prætor, and was raised to the Consulship two years after. Add to these his sons-in-law (for he had three daughters, all honourably married, and had borne him grandsons) two of these were Consuls afterwards. *Is this dying,* cries the historian,

or quitting this life with happiness? A thought of little solidity, a frivolous distinction with men, who having no certainty of another life, could see nothing in death, but the annihilation of all felicity. It is to those, who have eternal glory in view, that death is really an happy removal from life, according to the force of the word *migrare*, used by Paterculus. *Hoc est nimirum magis feliciter de vita migrare, quam mori.*

Plin. vii. 44. This good fortune itself, which Metellus enjoyed during his life, was not so compleat, as Velleius represents it: and Pliny, who sometimes carries his misanthropy too far, is not wrong, when he observes upon the subject in question, that two things made a considerable breach in this supposed felicity. The one is the unworthy and cruel adventure, by which he was very near perishing through the fury of the Tribune Atinius: the other, hi having been the enemy of the great Scipio Africanus. And might we not add, the extreme mortification he experienced, when Q. Pompeius his enemy was elected to succeed him, and the narrowness of spirit and injustice of the resentment he expressed upon that occasion? This last fact proves both that his happiness was neither without cloud, nor his virtue without stain.

Extraordinary dig-
ress. of
the house of
the Metel-
li. It may however be said, that the good fortune of Metellus Macedonicus was indeed exceedingly singular: and that good fortune seems to have extended itself to his whole family. For in the space of twelve years we find more than twelve Consulships, Censorships, or Triumphs of the Metelli: and in the year 639, two Metelli, brothers and both sons of Macedonicus, triumphed on one day, the one over Macedonia, and the other over Sardinia. This amazing number of Consulships in one and the same house, occasioned the poet Nævius to say: *Fato Metelli Romæ fiunt Consules:*

“ It

“ It is fate, it is destiny that makes the Metelli
“ Consuls at Rome :” Words that offended the
family, as if extolling their good fortune were
depreciating their merit.

The 638th year of Rome, gives us an exam- A.R. 638.
ple of corruption amongst the vestals, never heard *Three ves-*
of before. In the preceding times it had very sel- *tals corrup-*
dom happened, that a vestal had been found *ted.*
faulty : and the day of their punishment was a day
of universal mourning at Rome. But this year,
of the six, which they were in all, three were
proved criminal, two of which had even almost
publicly abandoned themselves to dissolute prac-
tices. This unhappy event was believed to have
been foretold by the misfortune of a young maid,
who being on horseback with her father was killed
by thunder, and her body thrown one way, and
the horse another. The Augurs having been con-
sulted upon this accident, replied, as is said, that
this pretended prodigy threatened the vestals, and
the order of the Knights with great infamy. Per-
haps those Augurs had some suspicion of what be-
came publick soon after. But let the prediction
be as it will, the fact is as follows.

One L. Butætius Barrus, a Roman Knight, a
professed debauché, weary of too easy conquests,
was desirous to exalt the gust of his infa-
mous pleasures by the charm of difficulty and
danger. He therefore attacked a vestal, called
Æmilia : and when he had succeeded in seducing
her, the contagion soon spread, and two other
vestals, Licinia and Marcia, followed their com-
panion's example. There was however this dif-
ference, that Marcia entered into an intrigue only
with one ; whereas Æmilia and Licinia admitted
a multitude of gallants ; because when they had
once began to extend their criminal amours, and
saw that their secret took air, they engaged all

those to silence, whom they apprehended as witnesses, by making them accomplices.

They are condemned. All this infamous mystery, after having been long concealed, was at length brought to light by a slave, whose master was one of the guilty. This slave was one of the confidents, and liberty, with many other rewards, had been promised him. As he saw they did not keep their word, he went and discovered the whole. The college of Pontiffs, which by the constitution of Numa were judges of this affair, acted with great indulgence. Only Æmilia was condemned: a favourable sentence was passed upon Marcia and Licina, for which they were probably indebted, the one to her being less criminal, the other to the eloquence of the famous L. Crassus, her relation, who being then twenty-seven years of age, defended her in an oration, of which Cicero speaks with praise.

But the affair did not rest there. The whole People cried out against this lenity of the Pontiffs on an occasion, wherein the crime was equally evident and odious; and the Tribune Sex. Peduceus having put himself at the head of those who complained of the sentence, caused an extraordinary commission to be voted by the People, for re-hearing the cause of Marcia and Licinia, and at the head of that commission placed L. Cassius, who for that purpose was created Prætor a second time, after having been Consul and Censor. He was a person of rigid virtue and inflexible severity; and one, (*a*) Cicero observes, who had rendered himself agreeable to the people, not by politeness and popular behaviour, but by an austerity of manners, which acquired him respect. He entirely answered the expectation of those who

(*a*) Homo non liberalitate, ut alii, sed ipsa tristitia & severitate popularis. *Cic. Brut.* 97.

had chosen him; for he not only condemned the two vestals, but a great number of others, so that his tribunal was called the rock of the accused: *Vall. Max. scopulus reorum.* iii. 7.

It however is not probable, that a person so much praised for his virtue, should confound innocence with guilt; and that, according to Dio's expression, not only those who were convicted, but all that were accused, were punished. The example of M. Antonius, the illustrious orator, of whom we shall frequently have occasion to speak in the sequel, is a proof, that to be accused did not suffice for being reputed a criminal. It is true, he behaved with such courage and resolution, as highly prejudiced his judgment in favour of his innocence. *Dio apud. Vales. p. 626. M. Antonius the orator is involved in this affair, and acquitted.*

He was actually Quæstor, and having Asia for his province, was upon the point of setting out from Brundisium, when he was informed, that he was accused before L. Cassius. There was a law to exempt those from prosecution, who were absent on the service of the Commonwealth. But M. Antonius would not take the advantage of it, and returned from Brundisium to Rome, to appear for himself, and answer the accusations brought against him. His trial came on: and one circumstance rendered the offence very difficult for the accused. The prosecutors demanded, that a slave, who they pretended had carried a torch before him in the night, when he went to the criminal rendezvous, should be delivered up to them, in order to his being put to the question. This slave was very young: and Antonius was in extreme apprehensions, both from the weakness of his years, and the violence of torments. But the slave himself exhorted his master to deliver him up without fear; assuring him, that his fidelity was proof against the most cruel inflictions. He kept

kept his word; and the question, which was very rigorous amongst the Romans, whips, racks, and red hot irons, could not overcome his constancy, nor make him speak in a manner prejudicial to the accused: an example, which proves, that virtue, and consequently true Nobility, is of all ranks and conditions. Antonius was acquitted, and set out for his province with honour and tranquillity of mind.

Rom. Hist. Vol. III. The Senate beheld this degeneracy of manners as a publick calamity; and had recourse, as had happened before on the like occasions, to religion. The books of the Sibyl were consulted, and in consequence of the answer they were supposed to give, it was resolved, that a temple should be erected to Venus under the new surname of *Verticordia*, which implied, that she was invoked *to change the heart*. It was also added, that the statue of Venus should be placed, and dedicated, in this temple, by the most virtuous woman of Rome: a singular regulation in a matter not a little delicate. In order to this choice, the Ladies nominated an hundred amongst them: out of this hundred, ten were chosen by lot, by whose voices Sulpicia, the daughter of Sulpicius Paternulus, and wife of Q. Fulvius Flaccus, was chosen. This fact no doubt puts the reader in mind of that concerning Scipio Nasica, declared by the whole Senate the most worthy and upright man of Rome, and deputed with that glorious title to receive the mother of the gods, just arrived from Pessinuntum in Phrygia.

Human victims.

Another superstition was also put in practice with the same view of appeasing the wrath of the gods, but a cruel one, and highly unworthy of Rome, especially at a time, when philosophy, and the arts of Greece, had begun to enlighten the minds of the Romans, and to reform their man-

manners. In one of the publick places of the city they buried a male and female Gaul, and a Grecian man and woman. And what is entirely odd, whilst they practised these abominable sacrifices themselves, they prohibited them severely to some barbarous nations, amongst whom they were authorized by law and custom.

I proceed now to relate two famous trials, that ruined two illustrious persons, invested with the principal dignities.

We have seen C. Carbo act very different parts. *Carbo accused by L. Crassus.* Though he had been friend to C. Gracchus, even to madness, he afterwards took upon him the defence of his murderer. On the expiration of his Consulship, that is, the 633d year of Rome, *A.R. 633.* he was accused, it is not said of what crime, by L. Crassus, who was then but one and twenty years old, and who made this cause his first trial of skill : For his oration for the vestal Licinia, of which I have spoke above, was six years later than this. It was much the custom of young persons, who *Auct. de Caus. corr. Eloq. n. 34.* aspired at the glory of eloquence, to endeavour to make themselves known by some remarkable accusation, that gave them opportunity to display their talents, and at the same time to prove their zeal for justice, and their hatred for bad citizens. Carbo, whom Crassus attacked, was certainly highly capable of defending himself. With credit, power and honours, he united great eloquence, which occasioned him to be considered as the best orator of his time. But it had probably happened to him, as to other (a) deserters of their party, who make themselves odious to those they quit, and are suspected by those to whom

(a) Transfugæ nomen execrabile veteribus sociis, novis suspectum. *Liv. xxvii. 17.*

they

they go over. He was undoubtedly not supported by the faction of the people, which he had abandoned, and the partisans of the aristocracy did not confide in him. The young accuser omitted nothing to lessen the merit of his return to the party of the Nobility, in repeating to the judges the excesses he had been guilty of, during his attachment to the Gracchi. He proceeded against him with so much vigour, that Carbo, to prevent an inevitable condemnation, poisoned himself, as was believed, with cantharides.

*Generosity
of Crassus.*

Crassus acquired great honour by this affair. (a) It was thought very glorious, that at an age, when those who exercise themselves deserve praise, this young orator should practise at the bar, what he might still be only studying in his closet with honour. But his eloquence was not the only thing that gained him applause. An act of justice and generosity in respect to his enemy was more admired, and with reason. One of Carbo's slaves brought his master's papers to Crassus, which might have been used for convicting him. Crassus conceived horror for this treachery, and sent back the slave to the accused in chains, with the case of papers, which he would not so much as open. He knew, that this kind of war, as well as that made with arms, has its laws, which ought to be observed even between enemies.

His timidity.

But his too great timidity was upon the point of making him lose the whole fruit of his labours, and of saving Carbo. When he began to speak he was quite disconcerted, and lost ground. He would have been under the necessity of retiring

(a) Quâ ætate qui exercentur laude affici solent:—câ ætate L. Crassus ostendit id se in

foro optimè jam facere, quod poterat domi cum hude meditari. *Cic. de Off. II. 47.*

with

with confusion, if the President of the tribunal had not come into his aid. Q. Maximus (this President was so called) took compassion of the condition, in which he saw the young orator, who promised infinitely. He broke up the assembly, and put off the cause to another day. Crassus by this means had time to recover himself, and not only terminated the affair against Carbo with success, but in the sequel both pleaded, and spoke before the Senate and People with all the resolution necessary; retaining of his former timidity only an (*a*) amiable modesty, which not only did no hurt to his discourse, but served to recommend it, from the advantageous idea it gave of the orator's probity. This modesty rose to a kind of fear: and Cicero, just at the end of his career, introduced it again; declaring, that he never spoke in public without changing colour, especially at the beginning of his discourse, and trembling all over. (*b*) The more taste and eloquence any one has, the more he perceives the greatness of the art of speaking, and the difficulty of succeeding in it.

L. Crassus, the year after he had caused Carbo to be condemned, seemed desirous to make trial of the party of the People, in the affair of the colony of Narbonne, of which he pretended to be, and really was * one of the founders. It ap-

Sole occasion in which Crassus opposes the Senate.

(*a*) Fuit mirificus quidam in Crasso pudor, qui tamen non modò non obesset ejus orationi, sed etiam probitatis commendatione prodesset. Cic. *l. I. de Or. n. 122.*

(*b*) Ut quisque optimè dicit, ita maximè dicendi difficultatem, variosque eventus orationis, expectationemque ho-

minum pertimescit. Cic. *ibid. n. 120.*

* It was the custom of the Romans, when they founded a colony, to nominate three distinguished persons to preside in settling it. These were called, *Triumviri coloniae deducendae.*

pears,

pears, that the Senate opposed the establishment of this colony; and Crassus, in a discourse which he made upon this subject, and which Cicero praises, as being of (*a*) greater maturity, than could be expected from the orator's years, warmly attacked the authority of the Senate, and spared no pains to reduce it. This is the only step of this kind, that could be imputed to him. All the rest of his life he was a zealous defender of the aristocratical party, and died, as we shall see, in defending it.

Vol. XII. L. Crassus, and M. Antonius, who was accused in the affair of the vestals, are the two first Roman orators, that Cicero thinks, can be compared with the Greeks. We may see what has been said upon that head, at the end of the Ancient History.

Cato condemned for extortions. We have not so large a detail to make concerning the condemnation of C. Cato. We have seen him shamefully defeated by the Scordisci in 638. It was said, that he behaved no better in the civil government of his province Macedonia, and at his return to Rome he was accused and condemned for extortion. The damages of this kind, which he had done the subjects of the Commonwealth, were however but very inconsiderable, as they were rated in the trial at only eighteen thousand sesterces; about an hundred and ten pounds sterling. For a person of Consular dignity, the grandson of Cato the Censor, and Paulus Æmilius, and the nephew of Scipio Africanus, to be condemned for so small a matter, is an instance of great severity. But (*b*) in those days,

(*a*) Senior, ut ita dicam, quam illa ætas ferebat, oratio
Cic. Brut. c. 160.

(*b*) Adeo illi viri magis voluntatem peccandi intuebantur, quam modum factæque

days, says Velleius, the will of doing ill, and not the quantity of the ill done, was considered: the intention was the rule of judging facts; and the quality, not the extent, of the injustice was enquired into. Perhaps also C. Cato's bad conduct in the war, and his defeat, were the real motives for the sentence passed against him.

Let us conclude this section with a circumstance more capable of pleasing a reader, who has a regard for the glory of Manners. About the beginning of the war with Jugurtha, L. Piso, the son of him who passed the first law against publick extortions, was sent with the authority of Prætor into Spain, where some commotions had arose. There, whilst he was exercising himself in the use of arms, he happened to break the ring he wore on his finger. The question was to make another. Piso, who piqued himself upon shewing, that he was worthy of his father, and of the honourable surname of *Frugi*, or man of probity, which he had transmitted to him, and being unwilling, that any body should suspect the ring he used, to be a present received in his province, had recourse to a very singular precaution. He sent for a goldsmith into the forum of Cordova, where he then was, and weighed to him the gold in the sight of all that were present, of which he ordered him to make a ring upon the spot before every body. Thus, says (a) Cicero, who has preserved this fact, “ though only
“ half an ounce of gold was in question, Piso
“ was desirous, that all Spain should know
“ whence it came; and that it was part of his

que ad consilium dirigebant;
& quid, non in quantum,
admissum foret, æstimabant.
Vell. ii. 8.

(a) Ille in auri semuncia
totam Hispaniam scire vo-
luit, unde Prætori annulus fi-
eret. *Cic. iv. in Verr. n. 57.*

“ OWN

“ own property, and not the gift of any body.” This niceness, which perhaps abundance of people amongst us would think excessive, cannot displease those, who judge rightly of virtue. If there be excess in it, how laudable is that excess ; and how much were it to be wished, that men would err in having too much respect for the laws, and too much care in preserving their reputation clear of blemish ! This Piso was killed in Spain, it is not known how.



 BOOK THE TWENTY-NINTH.

 THE
 ROMAN HISTORY.

War with JUGURTHA.

THIS book begins from Jugurtha's ascending the throne, and contains about fourteen years, from the 634th to the 647th year of Rome. It contains the war with Jugurtha, and some detached facts.

S E C T. I.

Preamble. Abridgment of the history of Masinissa. Praise of that Prince. Partition of his dominions after his death. Character and great qualities of Jugurtha. Micipsa, Son of Masinissa, sends Jugurtha to serve at the Siege of Numantia. He acquires great reputation there. Scipio sends home Jugurtha with a letter to Micipsa, full of his praises. Micipsa, at his return, adopts him. Being at the point of death, he exhorts his three sons to live in great unity. Hiempsal, the youngest son, quarrels with Jugurtha, who causes him to be killed. Adherbal the eldest, is defeated in a battle by Jugurtha, and takes refuge at Rome.

Jugurtha sends Deputies to Rome, and corrupts the principal persons of the Senate. The Senate sends Commissioners to Numidia, to make a new partition of that kingdom between Jugurtha and Adherbal. Jugurtha attacks Adherbal, and obliges him to take arms. He defeats his brother's army, and besieges him in Cirta. The Senate, by their Deputies, order them to lay down their arms. Jugurtha, notwithstanding those orders, continues the siege with vigour. Adherbal writes to the Senate, to implore its aid. Deputies are sent to Jugurtha, who conclude nothing. Adherbal surrenders, and is murdered. War is declared against Jugurtha. He sends his son as a Deputy to Rome, who is ordered to quit Italy. The Consul Calpurnius arrives in Numidia at the head of the army. Jugurtha corrupts him and also Scaurus, and makes a pretended treaty with them. Calpurnius returns to Rome, and is universally blamed. The Tribune Memmius animates the People by harangues against Jugurtha, and his accomplices. L. Cassius is deputed to Jugurtha, and persuades him to go to Rome, to give an account of his conduct. Jugurtha arrives at Rome, and corrupts the Tribune C. Bæbius. Memmius interrogates Jugurtha juridically before the People. Bæbius forbids him to answer, and breaks up the assembly. Jugurtha causes Massiva to be assassinated at Rome. He receives orders to quit Rome and Italy.

P R E A M B L E.

THE war with Jugurtha, which I am going to relate, and which I shall continue according to my custom to the end, without interrupting the series of it with foreign events, subsisted only six years, but gave the Romans great occupation and disquiet, their armies suffering the most shameful

ful defeats. What rendered it more considerable, was its being in a manner in the bosom of this war, the civil dissensions between Marius and Sylla took birth, which cost the Commonwealth so much blood, and spread desolation throughout all Italy.

It is no doubt a great advantage to have such an author as Sallust for my guide in this history. His merit universally admired for so many ages, stands in no need of my praise. But I cannot omit Quintilian's judgment, who in that excellent chapter, wherein he gives us the characters of all the ancient authors, thinks it enough in respect to Livy, to say, that *(a) by the different kinds of beauty which he knew how to unite in himself, he had acquired the immortal glory Sallust had merited by the brevity of his style, and was rather equal to, than like him.*

If the *(b)* brevity and conciseness of Sallust's style, which contains almost as many thoughts as words, as has been said of Thucydides his model, must extremely please an intelligent reader, it must also be the despair of one, who should attempt to preserve its beauties in another language. Let no one therefore be surprized frequently to find the copy infinitely short of the perfection of the original. I might, to spare myself the comparison, suppress the Latin: but I am far from being willing to deprive my readers of so great a pleasure.

Before I enter into the war of Jugurtha, I must go back a little, and give a brief idea of the history of Masinissa, from whom he was descended.

(a) Ideoque immortalem illam Sallustii velocitatem diversis virtutibus consecutus est. Nam mihi egregè dixisse videtur Servilius Novianus,

pares eos magis quàm similes. *Quintil.*

(b) Illa Sallustiana brevis, quâ nihil apud aures vacuas atque eruditas potest esse perfectius—*L. id.*

Brief History of MASINISSA.

Brief his- Two Princes, Syphax, and Gala the father of
127. of Masinissa, reigned at the same time in Numidia,
Masiniſſa. but over different states. The subjects of the first
 were called *Masæſuli*, and occupied the western
 part as far as Mauritania. The others were called
Maſſyli, situated at the east of the former, and
 bordering upon the dominions of the Common-
 wealth of Carthage. The name of *Numidians*,
 which was common to both, is more known. The
 principal force of their armies consisted in ca-
 valry. They rode their horses without saddles;
 and many guided them without bridles; from
 which they are called in Virgil, *Numidæ infræni*.

Liv. xxiv. The sixth year of the second Punic war, Sy-
48-49. phax had attached himself to the party of the
 Romans. Gala, to prevent the progress of a
 neighbour already too powerful, thought it neces-
 sary to support himself with the alliance of the
 Carthaginians, and sent a numerous army against
 him under his son Masinissa, then only seventeen
 years old. Syphax was defeated in a battle,
 wherein thirty thousand men were killed, and fled
 into Mauritania. But in the sequel things very
 much changed aspect.

Liv. xxix. Masinissa, after the death of his father, expe-
49-54. rienced all the vicissitudes and rigors of fortune,
 deprived of his kingdom, re-established, dethroned
 again, warmly pursued by Syphax, and every
 moment upon the point of falling into his ene-
 my's hands, without troops, arms, or a secure
 asylum. In these sad circumstances, his valour
 and the amity of the Romans were his resource.
 Having attached himself to the first Scipio Afri-
 canus, he shared in his victory over the Carthagi-
 nians, and Syphax. From thenceforth his life
 was

was one continued series of prosperity, without being interrupted by any unhappy accident. He not only recovered his kingdom, but added to it that of Syphax his enemy ; and became the most powerful Prince of Africa.

As he owed every thing to the Romans, he continued firm in that honourable alliance with inviolable zeal and fidelity. He retained a very robust state of health to the end of his life, which was partly the effect and reward of his extreme sobriety in eating and drinking, and of the care which he took to inure himself continually to labour and fatigue. Polybius observes, (which ^{An seni} passage we have from Plutarch) that the next day ^{gerenda} after a great victory over the Carthaginians, he ^{fit. Resp.} was found before his tent, making a meal of a ^{P. 79.} piece of brown bread.

Scipio the younger, who afterwards ruined Carthage and Numantia, was sent to Masinissa by Lucullus, under whom he served in Spain, to ask elephants of him. He arrived exactly at the time, that Prince was going to give the Carthaginians battle. He was spectator of it from the top of an hill near the place where it was fought. I have already observed elsewhere, that he was very much amazed to see Masinissa, then more than fourscore years old, mounted on an horse without a saddle, according to the custom of the country, giving his orders on all sides, and like a young officer, sustaining the greatest fatigues. He contracted a particular friendship with that Prince, who was extremely pleased that he was present at his victory, and paid him all the honours due to the worthy heir of his benefactor.

Some few years after Masinissa falling sick, and ^{Val. Max.} finding himself near death, wrote to the Procon-^{v. 2.} sul, under whom Scipio then served at the siege of ^{App. p. 63.} Carthage, to desire him to send the latter to him ;

adding, that he should die contented if he could expire in his arms, after having made him the depositary of his last will. But perceiving, that his end approached before he could have that consolation, he sent for his children, and told them, “ That he knew no people upon earth except the
 “ Romans, and of that people only the family
 “ of the Scipios: That in dying he left Scipio
 “ Æmilianus absolute power to dispose of his
 “ estates, and divide his kingdom amongst his
 “ children: That it was his will, whatever Sci-
 “ pio should decide, should be punctually exe-
 “ cuted, as if himself had so appointed in writ-
 “ ing.” After having spoke this, he died * at a

very advanced age, having retained the whole strength of his mind and body to the last. Cicero tells us, that even in the last years of his life, if he had set out upon a march on foot, he did not mount on horseback; that if he was on horseback, he did not dismount to walk; that neither cold, nor rains, could oblige him to cover his head; in a word, that he enjoyed a very robust state of health, so as to discharge all the functions and duties of the sovereignty. He left behind him a prodigious number of children, (some say forty four) of which one was but four years old, and three only born in lawful marriage, Micipsa, Gulussa, and Manastabal.

Præf. of
M. Ingu.
 Polyb.
 apud
 Valef.
 p. 174.

This Prince may be deemed one of the greatest Kings, of whom history has preserved the memory. As a warrior, and able politician, he knew how both to acquire, and preserve, a powerful state, which he governed during almost sixty

* Most authors, when they speak of his death, make him at least ninety years old. But, if in the sixth year of the second Punic war he was but seven-
 teen, as we have said after Livy, when he died, he could be only in his fourscore and third year.

years with great wisdom. Respected by his numerous family, he always maintained peace and good intelligence in it; and his house was exempt from all those jealousies, those violent enmities and horrors, with which the courts of the Kings his contemporaries abounded. His superior genius raised him above the barbarity of his nation, and made him even labour to establish good polity, and to civilize his people, who had been almost savages till his time, and lived by hunting and upon the milk of their cattle. He disciplined them, and from robbers, which they were before, he made them soldiers. He made agriculture flourish, or rather introduced it, in his dominions. Numidia was not cultivated before him, and even passed for a barren country. But it was not the land, that was wanting to the inhabitants; but the inhabitants who neglected a fertile soil, and who left it for a prey to beasts; chusing rather to rob and pillage from one another. Masinissa knew the goodness of the land, and caused it to be cultivated; and Numidia by his care and pains became as rich in grain and fruits as any other nation of the world.

His estates and dominions were divided by *Partition* Scipio, whom he left absolute arbiter in that re-*of his do-* spect. Scipio decreed, that the name and autho-*minors.* rity of King should appertain in common to the three legitimate Princes, and gave the rest considerable estates. According to Diodorus, each of them had a thousand acres of land, with all that was necessary for cultivating them. In the partition of the functions of the sovereignty between the three Princes, he had regard to the character and genius of each. Micipsa, who was the eldest, was a lover of peace and letters. He gave him the capital city and the finances. Gulussa, who was a warrior, had all that related to war

Diod. ap.
Valer.
F. 5586.

and the troops for his part. Manastabal, a great lawyer, was charged with the administration of justice to the people. But Micipsa soon united the whole authority in his own person by the death of his two brothers. He reigned thirty years, always in peace, making the study of letters and philosophy his delight, and taking great pleasure in the conversation of learned men, whom he invited from Greece to his court, and attached to his person.

Beginnings of JUGURTHA.

Character
of great
or great
Jugurtha.

Micipsa had two sons, Adherbal and Hiempsal: and caused his nephew Jugurtha, the son of Manastabal by a concubine, to be educated in his palace, and took as much care of him as of his own children. The latter had excellent qualities, that acquired him general esteem. He was well made, of a beautiful aspect, abounded with wit and sense, and did not, as is usual with young persons, give into luxury and pleasure. He exercised himself with those of his years in racing, darting the javelin, and riding the war-horse. Hunting was his sole amusement; especially hunting of lions, and other fierce beasts. (a) Though he was superior in all things to his companions, he had the address to acquire their affection: he was more intent upon deserving, than receiving praise; doing much, and speaking little of himself.

So shining, and so generally approved a merit, began to give Micipsa disquiet. He (b) saw him-

(a) Cum omnes gloriâ antehat, omnibus tamen carus esse. Plurimum facere, & minimum ipse de se loqui.

Sallust.

(b) Terrebat eum natura

mortalium avida imperii, & præceptus ad explendam animi cupidinem: præterea opportunitas suæ liberorumque ætatis, quæ etiam mediocres viros spe prædæ transversos agit.

Sallust.
self

self far advanced in years, and his children very young. He knew of what ambition is capable, when a throne is in question ! and that with much fewer talents, and less moderation than Jugurtha had, it was easy to be allured by so affecting a temptation, especially when supported by circumstances entirely favourable. He discerned with grief, that he had brought up a secret enemy in his house, and one who would perhaps be its destroyer.

In order to remove so dangerous a rival of his children, he gave him the command of the troops ^{*Micitfa,*} he was going to send to the aid of the Romans, ^{*the son of*} then before Numantia, under the command of ^{*Masiniſſa,*} Scipio Æmilianus. He flattered himself, that ^{*sends Ju-*} Jugurtha, brave as he was, might precipitate him- ^{*gurtha to*} self into some dangerous action, that might cost ^{*serve at*} him his life. That young Prince acquired so ^{*the siege of*} much reputation by his assiduity in the service, ^{*Numantia,*} his exact obedience, and his ardour to signalize ^{*where he*} himself on the most hazardous occasions, that it ^{*acquires*} was hard to judge, whether he was more esteemed ^{*great repu-*} by the Romans, than dreaded by the enemy. And (a) what is very extraordinary in his age, he was not only intrepid in battle, but of singular prudence in council ! of which the one is apt to occasion a too cautious timidity, and the other a too rash boldness. Accordingly the General, having discerned all his merit, treated him with more and more regard, and professing peculiar amity and confidence for him, he usually charged him with the most difficult and dangerous commissions. Besides this, Jugurtha was liberal and magnificent, was very engaging in his manners,

(a) Ac sanè, quod difficil-
limum in primis est, & præ-
lio strenuus erat, & bonus con-
silio : quorum alterum ex pro-

videntia timorem, alterum ex
audacia temeritatem adferre
plerumque solet. *Sallust.*

and possessed the art of insinuating into favour in a supreme degree, so that he gained the hearts of a great number of Romans, who contracted a very strict and intimate friendship with him.

There was at that time many in the army, as well of the Nobility as of less considerable families, who set a much greater value upon riches than probity; these were of a turbulent and factious disposition, and by their intrigues had acquired credit at Rome and with their allies; but had a more extensive than advantageous reputation. These dangerous spirits, to kindle Jugurtha's ambition, which was but too ardent before, gave him to understand, that when Micipsa died, he might have the kingdom of Numidia alone: that his valour made him worthy of it; and for the rest, every thing was sold at Rome.

Scipio sends back Jugurtha to his own country, and takes Micipsa full of praises.

Scipio, after the taking of Numantia, designing to dismiss the auxiliary troops, and to return to Italy himself, gave Jugurtha great praises, and honoured him with military rewards in the presence of the whole army. He afterwards took him alone into his tent; and as he was not ignorant of the dangerous intimacies he had contracted, and the pernicious counsels of the young Romans mentioned above, he gave him salutary advice in respect to his conduct, well worthy of that wisdom and virtue, which rendered Scipio still more admirable than the glory of arms. He told him, “ That the amity of the Roman People was to
“ be cultivated rather by methods of honour, than
“ by dark practices, and by attaching himself less
“ to particulars than to the body of the State
“ itself. That it was dangerous to desire to buy
“ of some citizens by gifts, what belonged to the
“ publick. That if he persevered in the paths of
“ virtue, as he had hitherto, he could not fail of
“ glory and the royal dignity, which would in
“ some

“ some sense meet him half way : whereas, if
 “ through a precipitate ardour, he proposed to
 “ obtain it by dint of presents, his very money
 “ would prove the cause of his ruin.”

After having given him this advice, with which
 he mingled abundance of expressions of friendship
 and esteem, he sent him back to his own country
 with a letter for Micipsa, conceived in these
 terms : *Jugurtha your nephew has extremely distin-*
guished himself by his valour and wisdom in the war
of Numantia. I know that this news, will give
you extreme pleasure. His merit has made him very
dear to me. I shall endeavour so to act, as to make
him also beloved by the Senate and People of Rome.
I should believe myself wanting to our friendship, if
I did not congratulate you upon having in the person
of Jugurtha, a nephew worthy of you, and of his
grandfather Masinissa.

When the King saw, that all the good things *Micipsa*
 publick report had said of Jugurtha, were con- *adopts him*
 firmed by the Roman General's letter, moved with *at his re-*
 so authentic a testimony, he resolved to change *turn.*
 his conduct for the future, and entertained no
 thoughts but to win him by force of favours and
 obligations. He began by adopting him ; and
 by his will he appointed him joint heir with his
 two sons.

M. PORCIUS CATO.

Q. MARCIUS REX.

A. R. 634.

Ant.C. 118.

Micipsa seeing himself at the point of death, *At the*
 sent for the three Princes together, and made them *point of*
 approach his bed. There, in the presence of the *death, he*
 principal persons of his court, he spoke as follows. *exhorts his*
You remember, Jugurtha, that having lost your fa- *three sons*
ther at a very tender age, you were left without hope *to live in*
or support, when I received you into my house, be- *perfect*
lieving *amity.*

A. R. 634.
A. C. 118.

lieving that I should not be less dear to you on account of my favours, than if I had given you life, and that you would do great honour to our family. I have not been deceived in my expectation. For, not to mention many others of your actions, by your last behaviour at the War of Numantia, you have acquired the highest glory for me, and my kingdom; from declared friends, as the Romans were before, to us you have induced them by your merit to become still more so: you have given new birth to the name and memory of our house in Spain: and lastly, which is very extraordinary and difficult amongst men, you surmounted envy by the lustre of your glory. (a) Now, when I see the end of my life draws nigh, I call upon you, I conjure you, by this right hand with which I adopted you, and have associated you in the sovereignty with my sons, sincerely to cherish them, who are your near relations by birth, and are become your brothers by my favour; and that you will not do them the injustice to chuse rather to attach strangers to you, than to retain the affection of those, who are united to you by blood. It is neither armies nor treasures that are the support of a kingdom; but friends, who are nei-

(a) Nunc, quoniam mihi natare finem vitæ facita per hanc dextram, per regni fidem maneo obtestorque, uti hos, qui tibi genere propinqui, beneficio meo fratres sunt, caros habeas; nec malis alienos adjungere, quàm sanguine conjunctos retinere. Non exercitus, neque thesauri, præidia regni sunt, verum amici: quos neque armis cogere, neque auro parare queas: officio & fide pariuntur. Quis autem amicior, quàm fratres? aut quem alienum fidum invenies, si tuis hostis fueris? Equidem ego regnum vobis trado, fir-

mum si boni eritis: si mali, imbecillum. Nam concordia res parvæ crescunt, discordiâ maximæ dilabuntur. Ceterum ante hos, Jugurtha, qui ætate & sapientia prior es, ne aliter qui eveniat, providere decet. Nam, in omni certamine, qui opulentior est, etiam si accepit injuriam, tamen, quia plus potest, facere videtur. Vos autem, Adherbal & Hiempsal, colite, observate talem hunc virum: imitamini virtutem, & enitimini, ne ego meliores liberos fuisse videar, quam genuisse. *Sallust.*

ther

ther acquired by arms, nor gold, but by real services, A. R. 634.
Ant. C. 118.
and inviolable fidelity. Now can one have better friends than one's brothers; and what faith can be expect from strangers, who becomes an enemy to his near relations? I leave you a kingdom, strong if you behave with virtue; but weak, if otherwise. For the smallest states augment by unity; and the greatest are destroyed by discord. For the rest, Jugurtha, as you have more years and capacity than my other two sons, it is incumbent on you to see this rule duly observed. Remember that in all disputes, he who is strongest is always suspected to have done the injury, even though he has received it, for the very reason, that he has more power and occasion to do it. As to you Adherbal and Hiempsal, be careful to esteem and respect the great merit of Jugurtha. Imitate his virtue, and endeavour to prevent it from being said, that my children by adaption were better than those I had from nature. Micipsa concluded with recommending to them all to continue faithful to their engagements with the Roman People, and to consider them always as their benefactors, patrons, and masters.

Jugurtha, who rightly perceived, that the King had not spoken according to his real sentiments, and that the conduct of that Prince in respect to him had more of fear than good-will in it, returned him feint for feint, and concealing his thoughts with profound dissimulation, he replied with such professions of affection and gratitude, as the conjunction of affairs required. Some few Death of
Micipsa. days after Micipsa died. As soon as the last honours were paid him with a royal magnificence, according to the custom of the country, the Princes met to deliberate upon the present state of affairs. Hiempsal, the youngest of the two brothers, a Prince of a proud and haughty disposition, and who had always expressed great contempt
for

A. R. 634.
Ant. C. 118. for Jugurtha, on account of the meanness of his birth on the mother's side, on this occasion took his seat upon his brother's right hand, to hinder Jugurtha from taking the post of honour in the middle. It was not without great difficulty, that Adherbal prevailed upon him to go to the left, by representing to him, that some regard was to be had to seniority.

His youngest son Hiempsal quarrels with Jugurtha, who causes him to be killed. After this beginning, which did not promise much unity, many things were brought upon the carpet concerning the administration of the state: and amongst other proposals made by Jugurtha, he said, that it was necessary to annul all the decrees made by the late King, during the last five years of his reign, because having been superannuated, his mind had shared in the infirmity of his body. Hiempsal hastily replied, that he was entirely of that opinion, because his father had adopted Jugurtha but three years before his death. That expression, was too home a stroke not to be sensibly felt by Jugurtha, and left a deep wound behind it. From thenceforth he gave himself up to the impressions of the most violent rage and disquiet; studied nothing night and day but means for destroying Hiempsal, and endeavour'd by different methods to ensnare him. Hiempsal, on his side, did not spare him, and seemed to take pleasure in aggravating his hatred. This did not last long; for the next year Jugurtha found means to have him murdered.

A. R. 635.

Ant. C. 117.

Adherbal

the eldest is

defeated in

a battle by

Jugurtha,

and takes

refuge at

Rome.

L. CÆCILIUS METELLUS.

Q. MUCIUS SCÆVOLA.

The news of the murder of Hiempsal soon spread throughout Africa. Adherbal saw from thence, what he had to fear for himself. Numidia was divided into two parties between the two brothers.

brothers. Great armies were raised on both sides. ^{A. R. 635.}
 Adherbal, after having lost most of his strong ^{Ant. C. 117.}
 towns, was defeated in a battle, and forced to take
 refuge at Rome.

Jugurtha, having effected his designs, saw him-^{Jugurtha}
 self master of all Numidia: but he had reason to ^{sends De-}
 fear from Rome. The remembrance of what he ^{puties to}
 had heard of the avarice of the Nobility, capable ^{Rome, and}
 of any thing for money, gave him hopes. He ^{corrupts}
 immediately dispatched Ambassadors with great ^{the princi-}
 sums, and orders to spare nothing, and to corrupt ^{pal Sena-}
 the Senators at any price. They soon found the ^{tors with}
 reality of every thing being venal at Rome. They ^{money.}
 presently acquitted themselves of their commission,
 and made an almost instant change in people's
 sentiments. The cause of Jugurtha, so notorious
 and so hateful in itself, and against which at first
 all the world were prejudiced, soon wore a diffe-
 rent aspect.

When the Senate gave both parties audience,
 Adherbal related, “ the unhappy condition, to
 “ which he was reduced, the injustice and vio-
 “ lence of Jugurtha, the murder of his brother,
 “ the loss of almost all his fortresses, and the sad
 “ necessity he was under of abandoning his king-
 “ dom, and seeking an asylum in a city, that
 “ had always conceived it for her glory to protect
 “ princes unjustly oppressed. He insisted princi-
 “ pally on the last orders his father had given him
 “ at his death, to place his sole confidence in the
 “ Roman People, whose amity would be a more
 “ firm and secure support for himself and his
 “ kingdom, than all the troops and riches in
 “ the world.” His speech was long and pa-
 thetic.

Jugurtha's Deputies answered in few words:
 “ That Hiempsal had been killed by the Numi-
 “ dians on account of his cruelty. That Adher-
 “ bal

A. R. 635. " bal had been the aggressor ; and that after having
 Ant. C. 117. " been conquered, he complained of not having
 " done all the ill he could have desired. That
 " their master desired the Senate to judge of his
 " conduct in Africa by that which he had ob-
 " served at Numantia, and to have more regard
 " to his actions, than to the reports of his ene-
 " mies."

*The Senate
 sends Com-
 missioners
 into Numi-
 dia, to
 make a
 new parti-
 tion of the
 kingdom
 between
 Jugurtha
 and Ad-
 herbal.*

They had used, as I have said before, an elo-
 quence in secret, more persuasive than that of
 words ; and it had all its effect. Except a small
 number of Senators, who still retained some sen-
 timents of honour, and were not sold to injustice,
 all the rest inclined to favour Jugurtha. The de-
 liberations of the Senate terminated in appointing
 ten Commissioners to make a new partition of
 Micipsa's kingdom between Jugurtha and Ad-
 herbal. At the head of this commission was L.
 Opimius, whose authority was then great in the
 Senate, after the service he had done that Order,
 by the murder of C. Gracchus, M. Fulvius, and
 by the many other violences he had committed a-
 gainst the Plebeians. Jugurtha gave him the
 most honourable reception ; and knowing his great
 avidity, took him in his foible, made him great
 presents, and still much greater promises. He at
 length succeeded so effectually in bringing him
 over, that he engaged him to prefer his interests
 to his faith, reputation, and honour. He acted
 in the same manner with the other Commissioners,
 amongst whom he found few, that had more re-
 gard for their duty than for money. The parti-
 tion was made as Jugurtha wished, however with
 some appearance of equity. He had for his share
 the provinces adjacent to Mauritania, which were
 peopled with the best men, and were the best cul-
 tivated and most fertile. Adherbal had those,
 which the more adorned with buildings, and more
 abundant

abundant in sea-ports, had not so many solid, as A. R. 635.
Ant.C. 117.
seeming, advantages.

Jugurtha, who at first could not be without *Jugurtha*
some fears, seeing his guilt in a manner rewarded, *attacks*
and having thereby experienced what his friends *Adherba's*
had told him at Numantia, that all things were *and obliges*
venal at Rome, no doubt became more bold in *him to*
his endeavours to compleat the design he had so
happily begun. He however continued five years
without moving, whatever reasons he had for it.
But at length, tired of that restraint, he deter-
mined to invade Adherbal's kingdom. This
seemed easy to him. (a) He was active, enter-
prizing, and well skilled in the art of war: Ad-
herbal, on the contrary, was indolent, tranquil,
and pacific; and as he had little experience of
war, had little taste for it; and consequently was
more exposed to insult, and more liable to fear
others, than to be feared himself. Jugurtha ac-
cordingly entered his brother's territories with a
considerable body of troops, carried off great
numbers of captives and cattle, burnt towns and
villages; and after having committed all kinds of
hostilities, returned into his own kingdom with
great Spoils. This passed in the Consulship of
Drusus and Piso.

M. LIVIVS DRUSUS.

L. CALPURNIVS PISO.

A. R. 640.
Ant.C. 112.

Jugurtha was in hopes, that these hostilities
would induce Adherbal to use reprisals, and thereby
give him occasion to pursue the war with vigour,
and even to justify himself to the Romans, if ne-

(a) Ipse acer, bellicosus: at
is quem petebat, quietus, im-
bellis, placido ingenio, op-

portunus injuriæ, metuens ma-
gis quam metuendus.

A. R. 640.
Abt. C. 112.

cessary. But that Prince, though highly enraged by such an insult, perceiving himself the weakest, and relying more upon the amity of the Romans than the fidelity of his subjects, contented himself with sending Ambassadors with complaints to his brother, who brought back only a disobliging answer. Notwithstanding this new affront, Adherbal resolved to suffer every thing rather than undertake a war, in which his first trial had succeeded too ill. His timidity so openly avowed, served only to increase Jugurtha's boldness. He took the field, not with only a flying camp as before, but with a numerous army. He ravaged all the places, through which he passed, putting all to fire and sword, in order to spread terror amongst the enemy, and to encourage his own troops. Adherbal forced by necessity, and having no other choice to make, but either to abandon his kingdom, or defend it, raised troops, and marched against Jugurtha.

*He defeats
his brother,
and besieges
him in
Cirta.*

The two armies met near Cirta, not far from the sea, but they did not come to blows then, because it was late in the day. When the night was far advanced, but before day-light appeared, Jugurtha's soldiers, on the first signal given them, attacked the enemy's camp, and finding some half asleep, and others taking arms, they presently put them to flight. Adherbal escaped to Cirta with some cavalry; and if the * Romans and Italians, great numbers of whom were then in that city, had not stop'd the pursuit of the victors, the business had been over; Cirta had been taken, and the war between two powerful Princes would have begun and ended in one and the same day.

* All the cities of trade, mans and Italians, whom commerce drew thither, and induced to settle there.

Jugurtha

Jugurtha, without losing time, laid siege to the place, and made all his machines advance to attack it in form. He lost no time to prevent the effect of the embassy, which he knew Adherbal had sent to Rome before the battle. As soon as the Senate received advice of the war between the two brothers, three young Senators were appointed to go and declare in the name of the Senate and People of Rome, that they should lay down their arms; the honour of the Commonwealth, and their own interest, requiring it.

These Deputies used expedition, and the more, as before they set out a report spread at Rome of the battle and siege of Cirta. Jugurtha, after having heard them, answered: "That he had the highest regard and respect for the authority of the Senate. That from his earliest youth he had made it his study to deserve the esteem of the most worthy persons of the Commonwealth. That it could only be by virtuous actions, that he had been so happy as to please so great a man as Scipio. That the same motive had induced Micipsa to adopt him, as he had children of his own. That for the rest, the more he had acted with prudence and generosity, the less he was disposed to suffer injuries. That Adherbal had used the most odious expedients to destroy him; and that so pressing a danger had reduced him to take arms. That the Roman People was too wise and equitable to tie up his hands on such an occasion, and prevent him from taking just precautions for the safety of his person, which would be contrary to the law of nations. And lastly, that he should immediately dispatch Ambassadors to Rome to inform the Senate and People of the true state of things." After this discourse they parted, with-

A. R. 648. out the Ambassadors being able to obtain permis-
 Ant. C. 112. sion to see Adherbal.

As soon as Jugurtha believed they might be out of Africa, seeing that Cirta, in effect of its situation, defended itself with ease against all his attacks, he drew a line of circumvallation strengthened with towers, and sufficient troops to guard them. He acted continually night and day, either by open attacks, or stratagem. Sometimes he endeavoured to bring over the garrison by promises, and sometimes to intimidate it by threats. He incessantly animated his own troops, disposing all things, and being himself the soul of his enterprise.

Adherbal writes a letter to the Senate, to implore its aid. Adherbal, reduced to extremities by an enemy from whom he had no quarter to expect, without hopes of aid, and the scarcity of provisions not permitting him to sustain the siege long, saw no other resource but in the Romans. By great promises he engaged some Numidians to pass the enemy's works in the night, in order to gain the sea-coast, and carry a letter from him to Rome. It was read in the full assembly of the Senate, and its contents were as follows.

It is not my fault, fathers, if I seem importunate to you, by so often imploring your aid: it is Jugurtha's violence and injustice that force me to do so. He is so determinately bent on my destruction, that he sets both you and the immortal gods at nought: only my blood can satiate his cruel ambition. He has kept me besieged five months in contempt of the alliance and amity by which I am united with the Roman People. Neither the benefactions, with which my father Micipsa loaded him, nor your decrees are of any support to me. I cannot tell whether I am most distressed by arms, or by famine. The present state of my fortunes prevents me from saying more in respect to Jugurtha: I have experienced how little credit is given to the complaints

complaints of the unfortunate. I plainly perceive, he A. R. 640.
Ant. C. 117. has not my person only in view; he carries his schemes and designs higher. He has no hopes of retaining my kingdom and your amity at the same time: but which of those two advantages he has most at heart is not to be doubted. He began by killing my brother Hiempsal. He afterwards drove me out of my dominions. Be insensible to our personal evils; I consent to it: But the question here is a kingdom dependant upon you, of which he has possessed himself by force of arms: it is the person whom yourselves established King of Numidia, that he now keeps besieged. The situation I am in, shews the regard he has for your orders; which have been signified to him by your Ambassadors. What remains then that can make him return to his duty, except the force of your arms? For, as to me, I should chuse much rather, that the complaints I now make, and those I have made before in full Senate, were without foundation, than to convince you, by my misfortunes, that they are but too true. But, as I am born to be the evidence of Jugurtha's crimes, I ask no longer, that you would preserve me from misery or from death; but only that you would prevent me from falling into the hands of so cruel an enemy, and that he may not degrade me so far, as to inflict all kinds of torments and cruelties upon my body. Dispose as you please of the kingdom of Numidia, that is your part; but extricate me out of the hands of this impious wretch, I conjure you by the majesty of the Roman Name, and by the rights of amity. If you retain any remembrance of Masinissa, shew it in preserving his grandson.

After this letter had been read, some Senators Deputies
are sent to
Jugurtha,
who return
without
having
concluded
any thing. said, that it was necessary to send an army directly into Africa, and not to defer aiding Adherbal: that they should afterwards deliberate upon the punishment Jugurtha deserved, for not having obeyed the orders, which had been signified to him.

A. R. 640.
Ant. C. 112.

him. His friends prevented this resolution from passing: and (a) private interest, as happens in most affairs, prevailed over the publick good. Persons of age and birth, who had passed through the greatest offices, were however nominated to go to Africa. Of this number was Scaurus, then a person of Consular dignity, and Prince of the Senate. Sallust, who is by no means favourable to him, as we have before observed, gives us this description of him. “He (b) was a man of high birth; of a warm, enterprizing, factious disposition; greedy of power, honours, riches; to which may be added great cunning in disguising his vices under the appearance of virtue.” As the affair was notoriously vile, and they set out three days after they were appointed, soon arrived at Utica, and from thence sent Jugurtha orders to repair to them as soon as possible. This at first gave him great perplexity, and the more, as he knew that these Deputies were illustrious persons, and of great authority. On the one side he was afraid of irritating the Senate, if he refused to obey: on the other, he could not resolve to quit his enterprize. After much reflexion, he determined to make a general assault on the city suddenly, in hopes of carrying it, and thereby terminating the affair, before new orders from the Senate to the contrary should be notified to him. But not having succeeded, and apprehending that Scaurus, of whom he was most afraid, might take offence at his affected delays, he at length resolved to repair to the place appointed by the Deputies with a small escorte of

(a) Ita bonum publicum, ut in plerisque negotiis solet, privata gratia devictum.

(b) Æmilius Scaurus, homo

nobilis, impiger, factiosus, avidus potentiae, honorum, divitiarum: cæterum vitia sua callidè occultans.

horse. They made him warm reproaches with great menaces in the name of the Senate, for not having raised the siege. We do not know what reasons he could give to justify himself: History says nothing of them. It only tells us, that after much discourse on both sides, the Ambassadors returned without having concluded any thing: an extremely suspicious conduct, which gives room to think, that from thenceforth Scaurus was not wholly inaccessible to Jugurtha's presents. For nothing is more contrary to the character of haughtiness and inflexible austerity, which he shewed upon all occasions, than this easiness, with which he suffers a Numidian Prince to treat the orders of the Senate, delivered by himself, with contempt. Florus affirms positively, what we advance here only as conjecture.

However it were, this gave Adherbal his mortal wound. The Romans settled in Cirta, who had the principal part in defending the place, seeing that no farther aid was to be expected from Rome, and not apprehending much for themselves, because they concluded, that the majesty of the Roman name would be a safeguard for them, persuaded Adherbal to capitulate, on condition only that his life should be saved. That unfortunate Prince saw plainly, that this was delivering himself up to slaughter: but forced by necessity, he surrendered himself, and was immediately put to death by Jugurtha in the most cruel torments.

Notwithstanding the horror this news excited at Rome, Jugurtha's money still found him defenders in the Senate; and the affair, by delays, obstacles, and the false pretexts, with which endeavours were used to cover and embroil it, took a turn, that gave reason to fear the criminal would again escape the punishment due to his crimes. But C.

A. R. 640.
A. C. 112.

Memmius, Tribune elect, a warm man, and the declared enemy of the Patricians, told the people, that there was a powerful cabal formed, which employed their whole credit to save Jugurtha; and strongly represented, what a shame it would be, if so many atrocious crimes, known to all the world, should be suffered to pass with impunity. The Senate apprehended the consequences of the People's just indignation; and war was declared against Jugurtha.

A. R. 641.
A. C. 111.

P. SCIPIO NASICA.

L. CALPURNIUS BESTIA.

*The son of
Jugurtha
is sent as a
Deputy to
Rome, re-
ceives or-
ders to quit
Italy.*

The Consul Calpurnius was charged with this war. When Jugurtha saw, that Rome was actually preparing to attack him, he was exceedingly surprized. For he had assured himself, that money would save every thing. He however did not lose courage, nor suffer himself to be disconcerted.

He made his son, with two of his intimate friends, set out immediately, with orders to spare no money for securing the Senate in his interest. When they approached Rome, the Consul Calpurnius asked the Senate, whether they judged it proper that they should be admitted. The answer was, that if they did not come to deliver up the King and kingdom of Numidia to the Romans, they should quit Italy in the space of ten days. This answer was signified to them, and they returned without having done any thing.

*The Consul
Calpurnius
arrives in
Numidia
at the head
of the
army.*

*Jugurtha
corrupts
him as
well as
Scaurus,
and makes
a pretence
to
withdraw.*

The Consul however made all preparations for war. But as he proposed rather to enrich himself, than to conquer, he chose persons of great credit for his Lieutenants, whose authority might serve to screen him, and insure him impunity. Of this number was Scaurus, who returned in consequence into Numidia, to compleat the loss of his reputation.

tation. (a) Calpurnius did not want merit. He was laborious, had great penetration of mind, and foresight. He was not ignorant in the art of war, and neither dangers nor ambuscades could daunt him. But the love of money spoiled all these good qualities, and rendered them useless. When he was arrived in Numidia, he at first made war with vigour, and took some towns and a great number of prisoners. Jugurtha's first care was to inform himself well of the genius and character of the General he had to deal with. He sent Deputies to him, who artfully sounded him, and, after having represented to him the difficulty of this war, Jugurtha being both able and determined to defend himself well, insinuated at a distance, that their Prince did not want gratitude for those who rendered him services. The (b) Consul understood this language well; and nothing more was wanting to awaken and actuate his ruling passion.

Scaurus entered into this infamous negotiation, to which he ought to have been the more averse, as in the beginning, after the murder of Hiempsal, he had shewn himself one of the warmest of Jugurtha's adversaries. But Sallust makes no difficulty to say, that even then his zeal was mere hypocrisy; that he feared discovery, not injustice; and that on the present occasion, the greatness of the sum offered him, took the mask off his false virtue. Florus, who agrees in the fact with Sallust, expresses himself however in a manner less disrespectful for Scaurus, and which even implies, that he had an high idea of him. "Jugurtha," says he, triumphed over the Roman virtue in

(a) In Consule nostro multæ, bonæque artes animi & corporis erant: quas omnes avaritia præpediebat. Patiens laborum, acro ingenio, satis

providens, belli haud ignarus, firmissimus contra pericula & insidias.

(b) Animus æger avaritiâ facile conversus est.

“ the

A. R. 641.
Ant. C. 111.

A. R. 641. "the person of Scaurus." *Quum in Scauro ipsos*
 Ant. C. 111. *Romani imperii mores expugnasset.*

The Numidian at first had not thoughts but of gaining time, in order to give his friends opportunity to act in his favour at Rome, and to strengthen his party there. But when he was assured of Scaurus, and had brought him into his interests, he was in hopes of obtaining peace, and in order to that, demanded an interview. It was granted him, and even an hostage was given him for his security. This was the Quæstor Sextius, who was carried to a city of Numidia, called Vacca. It was pretended, that he went thither to bring provisions from thence, which Jugurtha had engaged to furnish.

That Prince came therefore to the Consul's camp. The council of war was assembled. He presented himself to it, and after having made a short apology for his conduct, he concluded with protesting, that he put himself into the hands of the Senate and People of Rome. The rest of the negotiation was concerted in secret with Calpurnius and Scaurus : and the next day the council, after an appearance of deliberating, concluded, that the offer of Jugurtha, to deliver himself up to the Romans, should be received. Jugurtha immediately, as partly in execution of the treaty, caused thirty elephants, a great number of cattle and horses, with a next to inconsiderable sum of money, to be delivered to the Quæstors. Thus the peace was concluded in Numidia without the authority of the Senate and People ; and the Consul returned to Rome for the creation of magistrates. His Colleague P. Nasica died during the year of his Consulship, as much esteemed, as Calpurnius had made himself despised and hated. Nasica, descended from an house, in which virtue seemed hereditary, supported the honour of his name by strict integrity,

tegrity, and was always proof against corruption. A. R. 641.
Ant. C. 111. His mind was improved by philosophy : but in his application to that study, his chief attention was to form his heart : so that he was more a philosopher by his manners, than his learning. For the rest, his philosophy had nothing of rigid and austere in it : it was even polite with gaiety. This appeared both in his familiar conversation, and publick discourses, in which, as Cicero tells us, Cic. Brut. n. 128. he united elegance of language with the salt of humour and pleasantry. I return to his Colleague, who resembled him so little in conduct and sentiments.

When the manner, in which things had been carried in Numidia, was known at Rome, the Consul's conduct was universally condemned, and was the sole subject of conversation throughout the city. Calpurnius returns to Rome, and is generally blamed. The people loudly declared their rage and indignation. The Senators were at a loss, apprehending, that if they ratified so shameful a peace, they should disgrace themselves ; and on the other side, were not inclined to annul a treaty, concluded by a Consul who was dear to the party of the Great. For it was this Calpurnius, who, being Tribune of the People, had recalled P. Popilius, banished by the faction of C. Gracchus. Besides which, the authority of Scaurus, by whose advice it was known, that the Consul had acted throughout this whole affair, stopt those who were best inclined, and prevented the taking of a vigorous resolution.

However, the Tribune C. Memmius, in all The Tribune Memmius animates the People by his harangues against Jugurtha and his accomplices. times the declared enemy of the Patricians, harangued the People in the strongest terms, and exhorted them not to suffer both the glory of the Commonwealth and their own liberty to be annihilated ; setting before their eyes an infinity of haughty and cruel actions of the Nobility, to inflame

A. R. 641.
A. S. C. 111.

Cic. Br. 1.
n. 1. 6.

flame their zeal, and to inspire them with courageous sentiments in the important affair, of which we are speaking. Sallust in this place inserts an harangue, which, he says, he chose out of several of that orator's, who was very famous in his time, especially for accusations; which gives reason to believe that it is really Memmius's.

Many reasons, Romans, would prevent me from presenting myself before you at this time, if my zeal for the publick good did not outweigh all other motives: the credit of the faction that prevails here, the excess of your indolence, the open violation of the laws and of justice, and, which most affects me, the grief to see, that innocence, far from being honoured as it deserves, only incurs dangers. I am ashamed to repeat in what manner you have been for fifteen or twenty years the sport of the pride of a few powerful men; with what baseness you suffered your defenders to perish without avenging their deaths; to how great a degree indifference and insensibility have taken root amongst you, and debased your ancient courage; and lastly, even now, when your enemies give you the justest cause to lay hold of them, in what a manner you neglect the advantage of their downfall for your rise, and continue to fear those to whom you ought to make yourselves dreadful. Though all these considerations should check me, yet the impulse of courage, and zeal for the publick good within me, force me in a manner to oppose this powerful cabal. I shall still endeavour to use the liberty my father left me: Whether my efforts are effectual, or not, depends on you.

I do not exhort you, Romans, to repel the injustice and violence of your adversaries with arms, as your forefathers often did. There is no occasion for using force, or abandoning the city. Their ruin shall be the work of their own hands. After Tiberius Gracchus, who, as they tell the story, was for making himself King, had been killed, cruel inquiries were made against

against the People. The murderers of C. Gracchus and M. Fulvius were followed with the imprisonment and deaths of many of you. It was not the authority of the laws, but the mere caprice of your enemies, that determined these two bloody executions. Admit, that to undertake to re-establish you in your rights, was actually a design formed to make themselves Kings. Admit also, that not being able to prevent that effect without shedding abundance of blood, they did so legally. But with what pretext can they colour their rapines and depredations? Do you remember, with what secret indignation you have seen for years past your revenues dissipated, Kings and free States pay tribute to a few Patricians, and the same men assume to themselves both riches, and the splendor of dignities. They did not stop there. Impunity rendered them still more bold and enterprizing. In a word, the laws, the majesty of the Commonwealth, all things sacred and profane, have been given up to the enemy. And the authors of all these excesses know neither shame nor repentance of them. They strut before you tossing up their heads, with pompous and magnificent trains, displaying their Pontificates, Consulships, and some of them their triumphs: as if all this argued true merit, and not insatiable ambition. Slaves, bought for money, cannot bear the unjust rule of their masters: and you, Romans, born to command, suffer slavery without emotion. But who then are those, that have thus usurped the Commonwealth? The vilest of wretches, murderers, in whom enormous avidity for money disputes the preference with inhuman cruelty and barbarity; and who, with all this, are puffed up with pride and haughtiness: in a word, men void of faith, honour, probity, who make a traffick of every thing, even of the most sacred duties. Some of them have killed your Tribunes; others have persecuted you with oppressions and merciless prosecutions, most of them have im-

A. R. 641.
A.D.C. 111.

brewed their hands in your blood : and they consider their crimes as their strength and great defence. The most criminal of them are those, who for that very reason believe themselves the most secure. Instead of their crimes keeping them, as they ought, under continual dread, your indolence has given them occasion to make terror go over to your side. United by the same desires, the same enmities, and the same fears, they continue firmly attached together. But what is amity amongst the good, ought to be called conspiracy amongst the vile. If you were as zealous for preserving your liberty, as they are for establishing their sway, the Commonwealth would certainly not be given up to be plundered as it is, and your favours would be the reward of true merit, not the prey of audacious guilt. Your ancestors retired twice to mount Aventine, to establish their rights, and secure the dignity of their order : and will not you, by their example, spare no efforts for preserving that liberty which they have transmitted down to you ? You are the more obliged to this, as it is most shameful to lose that we possess, than never to have possessed it at all.

Some body may ask, what then I conceive it necessary to do ? It is, severely to punish those, who have betrayed the Commonwealth, not by employing violence against them ; they well deserve it, but methods of force do not suit the Roman People. There are tribunals and laws. Decree enquiries, in order to assure yourselves of the truth by certain proofs, and the testimony of Jugurtha himself. If he has made his submission in earnest, he will obey your orders : if he despises them, you will know from thence what you ought to think of this pretended peace and submission, which will only have served to secure Jugurtha's impunity for his crimes, to enrich considerably a small number of the Nobility, and, not to mention the infinite evils which will be the effect of them, to cover the Commonwealth with shame and reproach.

And are you then not yet tired of their unjust sway? A. R. 641.
Ant. C. 111.
You have, during many years, seen kingdoms, provinces, laws, judgments, justice, war, peace, in a word, all things human and divine, in the hands, and at the mercy of a small number of men; whilst you, hitherto invincible in respect to your enemies, Lords of all nations (for that is the idea we have of the Roman People) you, I say, are contented to be suffered to protract an obscure and languishing life. For as to any thing of slavery, which of you has dared to refuse complying with it?

For the rest, though I am convinced, that it is extremely shameful for a man of courage to suffer injuries with impunity, I should willingly consent, that you pardoned these vile wretches, because they are your fellow-citizens, if I did not foresee, that your clemency would prove fatal to you. The love of their crimes are too deeply rooted in them. They will not be contented with impunity for the past; and if you do not deprive them of the power to do ill for the time to come, you will live in eternal disquiet, always between the two extremes, either of being reduced to suffer a shameful slavery, or of employing the force of arms in defence of your liberty.

For do not imagine, that you can ever rely upon their fidelity, or that any sincere and solid union can ever subsist between them and you. They will reign, and you will be free. They pretend to exercise all kinds of injustice, and you are determined to oppose them. In short, they treat your allies as enemies, and your enemies as allies. Is it possible, whilst your sentiments are so opposite, that you should live together in peace and a good understanding? I invite and exhort you therefore not to suffer so detestable a fact as that which has lately been perpetrated in the affair of Numidia, to pass with impunity.

A. R. 641.
Ant. C. 111.

The question at present is not peculation nor extortion, certainly very great crimes, but become so common, that they are now reckoned as nothing. The authority of the Senate, and the majesty of the Roman People, have been prostituted to an audacious enemy. The good, the honour of the State have been sold for money in your army, and in the midst of Rome itself. If a commission be not appointed to enquire into this whole intrigue, if the guilty are not punished, what have we left to chuse, except to submit to tyranny? For to commit whatever crimes one will, is to be a tyrant. It is not for the sake of having the pleasure of revenge, you ought to desire that your fellow-citizens may rather be found guilty than innocent: but you ought to fear, that whilst you are for saving the bad, you should destroy the good. And further, the oblivion of good actions is not of so dangerous a consequence in a State, as the oblivion of bad ones. The man of probity, when he sees himself neglected, becomes only less warm and active for good: but the villain from thence becomes more bold and determinate for evil. Nothing is of greater importance than to check crimes by severity. If violence and injustice were not committed, there would be no occasion for any aid in order to live in peace.

L. Cassius is deputed to Jugurtha, and persuades him to go to Rome, to give an account of his conduct.

Memmius, by often making the like representations to the People, prevailed to have L. Cassius then Prætor sent into Numidia, with instructions to bring Jugurtha to Italy under the guaranty of the Roman People, in order to his being interrogated, and that from his answers the truth of the facts, of which Scaurus and the others were suspected, might be cleared up.

Whilst these things passed at Rome, those whom the Consul had left to command the army in his absence, imitated the conduct and example of their General, and committed all kinds of extortions
and

and enormities. Some, corrupted by Jugurtha's gold, returned him his elephants : others gave him up the deserters, for which they made him pay a great price : many enriched themselves by plundering people, with whom they were not at war ; so (a) much had avarice, like a pestilential disease, infected them all !

The decree of the People, which commissioned Cassius to bring Jugurtha to Rome, had spread consternation amongst the Nobility. He soon arrived in Numidia, and found Jugurtha himself very much alarmed. He however persuaded him, without much difficulty, to chuse rather, as he had submitted to the Romans, to make trial of their clemency, than to draw their arms upon him. He (b) promised that Prince entire security in his own private name ; an assurance, on which Jugurtha relied no less, than on the publick faith. So great was the general opinion, says Sallust, of Cassius's probity. Let us add : and it is in this manner that even vice and guilt cannot help paying homage to virtue. The manner, in which our historian speaks of this Cassius, gives us reason to believe, he was the same person, who was appointed to rehear the cause of the vestals, of which we have spoken above ; though there is some difficulty in respect to these Prætorships so often reiterated.

Jugurtha arrived at Rome, not with the magnificence of a King, but in the mournful equipage of a person accused. However intrepid he was in himself, and whatever protestations of service his friends and protectors could make him, he could not help being anxious for the event of his affair.

(a) Tanta vis avaritiæ in animos eorum, veluti tabes, invaserat !

scam interponit, quam ille non minoris, quam publicam ducebat.

(b) Privatim præterea fidem

VOL. IX.

L

But

A. R. 641.
Ant. C. 111.

Jugurtha
arrives at
Rome. and
corrupts
the tribune
C. Baebius.

A. R. 64¹. But having been so successful to bring over the
 Ant. C. 111. Tribune C. Bæbius by presents of money, one
 who had impudence enough to support him against
 the evidence of truth and justice, he was entirely
 at ease.

Memmius Memmius assembled the People, who trembled
int. ro- with indignation against the King. Some were
ga' Ju- for having him dragged to prison: others de-
ga' Ju- manded, that if he would not discover his accom-
plac. plices, he should be punished according to the
the Peo- laws as an enemy to the State. The Tribune, far
Peo. from giving in to the impetuous emotions of a
 People inflamed with rage, acted with great dig-
 nity, appeasing their fury, checking their violence,
 and protesting, that he would never suffer the
 publick faith to be infringed.

When silence was made, and Jugurtha had
 been ordered to appear, the Tribune repeated the
 crimes committed by that Prince both at Rome
 and in Numidia, whether against his father by
 adoption, or his brothers; and, addressing his dis-
 course to him, he added: That though the Ro-
 mans well knew his accomplices, they were desi-
 rous to be again assured of them from his own
 mouth. That if he declared the truth he might
 hope every thing from the faith and clemency of
 the Roman People: but if he concealed it, he
 would not save his accomplices, and would ruin
 himself. When Memmius had made an end of
 his discourse, he ordered Jugurtha to reply. Bæ-
The Tri- bius, on the other hand, (the Tribune corrupted by
the Bæ- Jugurtha, as we have said above) forbade him to
bis for- speak. The People, extremely incensed, testified
bis him to by tumultuous cries, menacing looks and gestures,
answer. and all other marks of rage, the impatience with
and break which they suffered this proceeding of the Tri-
up the ci bune. Bæbius audaciously persisted in his first
sub. conduct. Thus the People, insulted by their own
 ma-

magistrate, and become the sport of an impudence, that had no example, saw the assembly break up without concluding any thing. This was a triumph for the King, Calpurnius, and all the rest, who extremely apprehended the consequence of this information. The boldness, with which this success had inspired Jugurtha, soon manifested itself.

M. MINUCIUS RUFUS.

A. R. 642.

SP. POSTUMIUS ALBINUS.

Ant. C. 110.

There was at that time a Numidian Prince at Rome, called Massiva, the son of Gulussa, and grandson of Masinissa, who had openly declared against Jugurtha in the quarrel of the Kings, and who, for that reason, after the taking of Cirta, and the murder of Adherbal, had fled, and quit-
 ted Africa. The Consul Albinus, to whom the province of Numidia had fallen, and who for that reason desired, that the war there might break out again, advised that Prince to demand Jugurtha's kingdom. The latter was apprized of this; and caused Massiva to be assassinated in the midst of Rome. The murderer was seized, and put into the hands of justice. He confessed every thing to the Consul Albinus, and particularly, that it was Bomilcar, Jugurtha's near relation and confidant, who had engaged him to commit this murder. As Bomilcar had come to Rome with Jugurtha, the law of nations seemed to refuge him against prosecutions. An accusation was however laid against him, and it was believed, that the laws of justice would take place on this occasion against all other considerations. Fifty of the King's friends offered to be security for him, obliging themselves to appear for him when it should be necessary. Jugurtha, convicted as he was of so black an action, had however the boldness to keep
 L 2 his

A. R. 642. his ground still for some time, always assuring
 Ant. C. 110. himself, that he should extricate Bomilcar by the
 help of his friends. But he found, that the cry-
 ing enormity of such a murder was above all his
 credit, and all his gold and silver. He made Bo-
 milcar fly, and soon followed him; the Senate
 having signified to him, that he should quit Italy
 immediately. He accordingly set out; at which
 time he said several times, looking back upon the
 city, *(a)* *That Rome wanted only a purchaser to sell*
herself, and would soon perish, if such an one could
be found.

*He is or-
 dered to
 quit Rome
 and Italy.*

S E C T. II.

*Jugurtha eludes the attacks of the Consul Albinus.
 Reflexion of Sallust upon the present state of Rome.
 Metellus is charged with the war of Numidia. He
 makes choice of Marius for one of his Lieutenants.
 On his arrival in Africa, his first care is to re-
 establish discipline in the army. Jugurtha sends
 Deputies to Metellus: who engages them to deli-
 ver up their master to him. Metellus marches his
 army into Numidia with great precaution. Ju-
 gurtha, finding himself amused, resolves to defend
 himself by arms. Battle, in which that Prince
 is defeated. He raises a new army. Metellus ra-
 vages the whole flat country. Jugurtha surprizes
 part of the Roman army. Great joy at Rome for
 the victory gained over Jugurtha. New vigi-
 lance of the Consul to prevent being surprized.
 Jugurtha continues his skirmishes. Metellus be-
 sieges Zama. During the winter-quarters he en-
 deavours to bring over Jugurtha's confidents. The
 King, betrayed by Bomilcar, consents to surrender
 at discretion to the Romans. Deprived of every
 thing he again takes up arms. Metellus is con-
 (a) Urbem venalem, & maturè perituram, si emplorem invenerit.*

tinued

tinued in the command. Jugurtha prepares for the war. The inhabitants of Vacca massacre the Roman garrison. It is put to fire and sword by Metellus. Origin of the enmity between Marius and Metellus. Beginnings of Marius. His birth. His education and character. He makes his first campaigns under Scipio Africanus, and acquires his esteem. He is created a military Tribune; and afterwards Tribune of the People. He causes a law to pass, notwithstanding the opposition of the Senate. He prevents a largess, which one of his Collegues is for giving the People. He suffers two repulses in one Day. He is chosen Prætor with great difficulty, and accused of caballing for that office. He marries Julia. His fortitude against pain. He is chosen Lieutenant General by Metellus. His conduct in that employment. Metellus refuses him permission to go to Rome to demand the Consulship. Marius decries Metellus. Conspiracy of Bomilcar against Jugurtha discovered. He is put to death. Extreme dread and trouble of Jugurtha. Metellus grants Marius his discharge. Marius is elected Consul. The war against Jugurtha is confided to his care. Cicero's opinion of the means used by Marius for attaining the Consulship. Jugurtha's perplexities. Battle, in which he is defeated. He retires to Thala, and quits it soon after. The place is besieged, and taken by the Romans. Jugurtha arms the Gætuli. He engages Bocchus to declare against the Romans. The two Kings march towards Cirta. Metellus repairs thither also. Grief of Metellus, when he receives advice, that Marius is appointed to succeed him. He holds a conference with Bocchus by Deputies.

A. R. 642.
Ant. C. 110.
Jugurtha
cludes the
attacks of
the Consul
Albinus.

THE war is renewed again. The Consul Albinus, who was to return to Rome to

A. R. 642.
A. M. C. 110.

preside at the election of magistrates for the year ensuing, hastened his departure for Africa, in order to terminate the war as soon as possible either by arms, a treaty, or some other way. But Jugurtha, on his side, expecting every thing by gaining time, sought only how to protract it. Sometimes he promised to surrender, and then professed distrust. Sometimes he fled before the Romans, and at others, not to discourage his army, harraßed them vigorously. Thus between delays, and the slow alternative of negotiation and war, he amused the Consul, and eluded all his efforts. Whether through negligence, or connivance, for he was suspected of it, Albinus succeeded very ill.

The approach of the time for the elections obliging him to return to Rome, he left his brother Aulus to command the army in quality of Proprætor. Jugurtha had much more advantage from him, than from the Consul. He had no merit, and his self sufficiency made him unconscious of his incapacity. The blind desire of enriching himself induced him to form the siege of Suthul in the midst of winter, a very strong place, situated upon the brow of a steep mountain, and surrounded with a marsh, in which the King kept part of his treasures. The dissembled fear of that Prince, who sometimes caused proposals of accommodation to be made to him, and sometimes fled before him, still more increased his blindness. Jugurtha, long accustomed to artifice and stratagem, acted his part so well, that he induced him to raise the siege of Suthul, in order to follow him into a remote region, where he gave him hopes of transacting in secret with him. And, what is almost incredible, he brought over by his emissaries not only part of the Proprætor's auxiliary troops, but even some of the Romans, who

who promised to serve him on occasion. According-<sup>A. R. 642.
Ant. C. 116.</sup>ly, upon Jugurtha's attacking the camp of Aulus in the night, some companies of Ligurians and Thracians went over to his side : and a Roman officer, the first Captain [*Primipilus*] of a legion, delivered up to the enemy the part of the intrenchment where he commanded. The camp was taken and plundered : and all that Aulus could do, was to retire with part of his troops to an adjacent eminence. The next day it was necessary to come to a composition. Jugurtha, not contented with having overcome, was also for insulting ; and in a conference, which he had with the Proprætor, with feigned moderation, he told him, that though he had him inclosed on all sides, and it was in his power to destroy both himself and his whole army, either by famine or the sword, however, reflecting that the success of arms was precarious and transitory, and human things subject to many vicissitudes, if Aulus would make peace, he would dismiss them all with their lives saved, after having made them pass under the yoke, and upon condition, that they should quit Numidia in the space of ten days. However hard and ignominious these conditions were, the fear of death, which seemed inevitable, made him accept them.

When this news arrived at Rome, it occasioned great consternation. Some lamented the disgrace of the Roman name by so shameful a peace ; and others even apprehended the consequences of the advantages gained by the Numidian. All in general, and especially the military persons, censured Aulus with contempt and indignation, for having chose rather to owe his safety to cowardice, than to courage, whilst he had arms in his hands. The Consul Albinus, apprehending that he should be made accountable for his brother's conduct,

A. R. 642.
Aul. C. 110.

proposed to the Senate to deliberate upon the treaty which had just been concluded. It was declared void, as having been made without the authority of the Senate and People. The Consul, not having it in his power to carry the troops he had levied along with him, because the Tribunes opposed it, set out however for Africa. His army, in execution of the treaty, had quitted Numidia. He found it in such disorder and irregularity, occasioned by the licentiousness that prevailed in it, that he was afraid to make it march against Jugurtha, though he much desired it, to obliterate the disgrace of the treaty concluded by his brothers.

At Rome, however, the Tribune Mamilius Limetanus proposed to the People the decreeing of a commission, for informing against those, who had emboldened Jugurtha to despise the orders of the Senate; who had received money from him whilst Ambassadors, or in the command of armies; who had restored him his elephants and deserters; and lastly, who had made conventions with the enemy concerning war and peace. Many, who were under apprehensions for themselves or their friends, underhand and secretly opposed this law: for to have done it openly, would have been to have confessed themselves guilty. But the People shewed an extraordinary constancy upon this occasion; less through zeal and affection for the publick good, than hatred for the Nobility, who dreaded this law: so violent was then the dissension between the two orders. It was therefore decreed, that three Commissioners should be appointed to preside in preparing the proceedings against all such as should be within the cases mentioned in the law, and to bring them to trial.

Scaurus

Scaurus had sufficient credit to get himself admitted into the number of these Commissioners, though he ought rather to have appeared as one of the accused, than as one of the judges: but the affair was however carried on with no less vigour. Four persons of Consular dignity were condemned, Calpurnius, Albinus, Opimius, and C. Cato. Neither Sallust, nor any other author, tells us, what part the last had acted in the intrigues of Jugurtha. We have already seen him condemned on account of extortions: but, without making much interest, only slight penalties had been laid upon him. On this occasion he was banished, as well as the three others first named. There were also many others condemned of a less illustrious rank, but however persons of distinction; and in particular C. Galba, who was the first citizen, invested with a publick priesthood, who had been found guilty on a criminal accusation. These were a kind of reprisals taken of the Nobility by the order of the People, who from the death of the Gracchi had not been able to surmount oppression. It is no wonder, that Cicero exclaims against these condemnations, and treats them as iniquitous; as Sallust, who always favours the party of People against the Nobility, agrees, that popular rumours, and the caprice of the multitude, had a share in the judgments given upon this occasion. This is not to infer, that all who were condemned, were innocent. He has himself particularized the bad dealings of some. But in general it was the spirit of party, that directed the judges, more than the love of justice. The reader may turn back to the end of the history of the Gracchi, for what we have observed concerning the condemnation of Opimius.

This event gives Sallust occasion to make a digression upon the origin of the furious animosities, which

A. R. 642.
Ant. C. 110.

Cic. Brut.
127. 128.

A. R. 642.
A. C. 110.

which tore the city, and at length became bloody wars. We must first observe, as that historian has done elsewhere, that the civil dissensions are as ancient in Rome as liberty. But besides that the quarrels of ancient times always terminated with moderation and concord, there had been a very long calm, in which the two orders perfectly concurred in their endeavours for the publick good. That time, which may well be called the Golden Age of the Roman Commonwealth, continued from the second Punic war, to the taking of Carthage. The factions then not only began to revive, but became more violent than ever. It is this period Sallust has in view in the reflexion, which I proceed to give the reader.

*Sallust's
reflexion
upon the
present
state of
Rome.*

“ It is, says he, only some years since furious
 “ divisions arose between the Senate and People,
 “ and factions carried to the last excesses on both
 “ sides : and these evils have no other origin than
 “ the leisure of peace, and the abundance of all
 “ that men consider as their greatest good. Be-
 “ fore the destruction of Carthage, the two bo-
 “ dies of the State, treating each other without
 “ violence and passion, were in good intelligence
 “ with respect to the management of affairs. Nei-
 “ ther the love of glory, nor the desire of rule
 “ armed the citizens against each other. The
 “ fear of the enemy kept every thing within
 “ bounds. When Rome was no longer under that
 “ check, licentiousness and pride, the usual effects
 “ of prosperity, were introduced into the city.
 “ Thus the tranquillity and leisure, which adver-
 “ sity had made her desire with so much ardor,
 “ when she had obtained it, became more fatal to
 “ her than all the calamities of war. The Nobi-
 “ lity on one side made their preheminance, and
 “ the People on the other their liberty, serve as
 “ pretexts for their unjust pretensions. So that
 “ whilst

“ whilst each aimed at the mastery, and was for A. R. 642.
 “ engrossing all to itself, the Commonwealth, Ant. C. 110. si-
 “ tuated in a manner between the two factions,
 “ was torn in pieces by that division. For the
 “ rest, the party of the Nobility continuing al-
 “ ways united, had most strength: whereas that
 “ of the People, divided into an infinite number
 “ heads, and not having any common tie, was
 “ much less powerful. Both in war and peace,
 “ every thing passed through the hands of a
 “ small number of the Nobility. They had the
 “ disposal of the publick revenues, of the go-
 “ vernments of provinces, the great offices, ho-
 “ nourable rewards and triumphs. Whilst the
 “ Generals divided the spoils taken from the ene-
 “ my with a few persons, the People were de-
 “ pressed under the fatigues of military service,
 “ and the miseries of poverty; and it often hap-
 “ pened, that the fathers or children of soldiers, if
 “ they had the misfortune to live in the neigh-
 “ bourhood of the Great, were driven out of their
 “ houses, and deprived of the little lands they
 “ had. Thus avidity continually increasing with
 “ power, knew neither bounds, nor measure.
 “ Every thing became the prey of the strongest.
 “ The Nobility violated the most sacred rules,
 “ and sacrificed all things to the desire of grati-
 “ fying themselves, till by their excesses they
 “ drew upon them avengers out of their own
 “ bosom.”

By this Sallust means the Gracchi, of whose
 views he speaks with great esteem: and after hav-
 ing related their unhappy end, he adds: “ We
 “ must own, that the desire of getting the better
 “ of their adversaries carried them too far, and
 “ that they did not act with moderation enough:
 “ For (a) it is better to be worsted with the right,

(a) Sed bona vinci satius est, quam mala more injuriam vincere.
 “ than

A. R. 642. " than to overcome injuſtice by bad means:
 Ant. C. 110. " The Nobility, on their ſide, tyrannically abuſing
 " their victory over the Gracchi, either put to the
 " ſword, or baniſhed, a great number of the ci-
 " tizens; and by thoſe violences, made them-
 " ſelves more dreaded, than they augmented
 " their power. The abſolutely reducing enemies
 " at any price whatſoever, and after having ſo
 " reduced them, exerciſing the utmoſt vengeance
 " poſſible upon them, is what occasions the ruin
 " of the moſt powerful ſtates."

It is remarkable that hiſtorians, as if in con-
 cert, aſcribe the ruin of manners and diſcipline in
 Rome to its too great power, the increaſe of its
 riches, and to luxury, the inevitable conſequence
 of them. They fix the epocha of this fatal change
 at the deſtruction of Carthage. I have repeated
 in the hiſtory of the third Punic war a paſſage
 from Velleius Paterculus, entirely conformable to
 what Salluſt obſerves here. I return now to my
 ſubject.

A. R. 643.
 Ant. C. 119.

Q. CÆCILIVS METELLVS.
 M. JUNIVS SILANVS.

Metellus People (a) began to conceive great hopes of
 the war of Numidia, when the conduct of it was
 given to Metellus. That Conſul had all the qua-
 lities, that can render a man eſtimable: but par-
 ticularly a perfect, and abſolutely incorruptible
 diſinter-eſtedneſs; the moſt eſſential quality at that
 time againſt ſuch an enemy as Jugurtha, who hi-
 therto had made more uſe of money, than the

(a) In Numidiam proficiſci-
 ter, magna ſpe civium, cum
 propter artes bonas, tum max-
 imè. quod adverſum divitias
 invictum animum gerebat &

avaritiâ magiſtratum ante id
 tempus in Numidia noſtræ
 opes contuſæ, hoſtiumque auc-
 tæ erant.

ſword

sword for conquering. The choice Metellus made of two excellent Lieutenant-Generals, Marius and Rutilius, confirmed the idea conceived in his favour; and the happy presages people formed to themselves of his success. And indeed, the best concerted designs often miscarry through the bad choice of officers, when intrigue and cabal directs it. We shall soon give some particulars of what relates to Marius. We are now going to follow the thread of our history.

When Metellus arrived in Africa, he found the army in a deplorable state, plunged in idleness, little inured to war, fearing both danger and labour, more valiant in words than action, dreadful to the allies, contemptible to the enemy, in a word, without either discipline, rules, or obedience. This disposition of the army gave the new General more pain, than the number of the troops did confidence. Though he knew that Rome impatiently expected the news of what passed in Africa, he however resolved not to begin the operations of the war, till he had reformed the army according to the rules of the ancient discipline. He (*a*) acted in this like a man of superior genius, observing a wise medium between excessive rigour, and popular indulgence.

The first orders which he gave, were in respect to retrench whatever conduced to intemperance and effeminacy. He forbade his soldiers to have either slaves or carriage-horses in the camp or upon a march; servants to follow it; and all persons whatsoever to sell either * bread or meat ready

(*a*) Sed in ea difficultate Metellum non minùs, quàm in rebus hostilibus, magnum & sapientem virum fuisse compertior: tantà temperantiâ inter

ambitionem sævitiâque moderatum.

* Every soldier carried corn for twelve or fifteen days, and ground, and made bread of it himself.

dress,

A. R. 643.
Ant. C. 109.
He chooses Marius for one of his Lieutenants.

On his arrival in Africa, his first care is to re-establish discipline in the army.

A. R. 643.
Ant. C. 109.

dreſt, within the camp. As to every thing elſe, he reduced it, as much as poſſible, to the ſimply neceſſary. He did not keep his troops long in one place. He made them countermarch, and incamp and decamp continually. He obliged them to intrench themſelves with as much care, as if they had always been in view of the enemy. He often relieved the guards, which he viſited in perſon with his principal officers, to keep every body in their duty. In marching, he was ſeen every where, in the front, the centre, the rear ; taking care that the ſoldiers ſhould keep their ranks, march always under their colours, and carry both their arms and provisions. (a) By this means, he ſoon re-eſtabliſhed diſcipline, making uſe of an admirable principle; *rather to prevent, than puniſh faults.*

Jugurtha ſends deputies to Metellus, who engages them to deliver up their matter.

When Jugurtha was informed how Metellus behaved, he was exceedingly anxious. Beſides which, he had been told from Rome, that preſents would be of no effect with that General. That reſource failing, which had hitherto been of ſuch ſervice to him, it was neceſſary to try other methods. He ſent Deputies to Metellus, who aſked no other conditions but life for that Prince and his children, adding, that for the reſt he ſubmitted entirely to the Roman People. The Conſul had already experienced, that there was no truſt to be repoſed in the Numidians, who were naturally capricious, inconstant, and treacherous. He thought, that with a deceitful perfidious Prince, it was allowable to uſe fraud and ſtratagem. He ſounded his Deputies ſeparately, and finding them all inclined to do what he deſired, he propoſed, and effectually perſwaded them, to deliver up Jugur-

(a) Ita prohibendo à delictis magis, quàm vindicando exercitum brevi confirmavit.

tha to him alive or dead. This conduct was little generous, and shews that in the times, of which we are speaking, the most deserving persons had some tincture of the corruption of manners. Metellus, the better to cover his design, gave the Deputies a favourable answer in publick, and room to amuse their master with good hopes.

Some days after he set out from the Roman province, that is the part of Africa subject to the Romans, and marched his army into Numidia. He found every thing there in the same state, as if there had been no war: no houses abandoned, the flocks and herds with their keepers, the husbandmen in the midst of their fields, and the Prince's officers coming from the towns and villages to offer corn and provisions, and do every thing they should be commanded. Metellus, notwithstanding, spared nothing of his vigilance. He marched in the same good order, and was no less upon his guard, than if the enemy were in view. In a word, he took all possible precautions, knowing that these appearances of peace might cover stratagems and ambuscades. And indeed Jugurtha was of such ability and art, that it was hard to say, whether he was more to be trusted at a distance, than when near; when he made war openly, or seemed to desire peace.

Metellus continued his march, and arrived near a city called Vacca. It was the greatest place of trade in all Numidia. He put a garison into it, either to take the advantage of the place, or to know, by that step, the real disposition of Jugurtha.

However, new envoys came perpetually from that Prince, who earnestly solicited peace, and as before, offered to surrender every thing to the Romans; provided they would grant himself and his children their lives. The Consul received them

Jugurtha finding himself

amused,

resolves to defend himself by

as arms,

A. R. 643. as he had the first; that is, perswading them to
 ADL. C. 100- betray their master; after which he sent them back
 to Jugurtha, without either promising or refusing
 him peace: and, in the intervals, he expected
 the success of what he had negotiated with these
 envoys.

The artful Jugurtha perceived that his own
 example was followed against himself, and that he
 was attacked with his own arms, that is, by stra-
 tagem and deceit; as in reality Metellus's words
 did not agree with his actions; and at the same
 time he was given hopes of peace, a cruel war
 was made against him. He therefore determined,
 as he had no other resource, to defend himself with
 arms.

He assembled numerous forces, and observing
 the march of the Romans, posted himself so as to
 be able to attack them with advantage. When
 they came to a battle, the Numidians had the su-
 periority at first from the situation of the place,
 where they lay in ambush: but the Romans soon
 resumed courage. The King and the Consul
 shewed all the bravery and ability that could be
 expected from two of the greatest Captains of
 those times. Metellus had the superior valour of
 the soldiers on his side, but the disadvantage of
 the place. Every thing favoured Jugurtha, ex-
 cept the nature of his troops, which were much
 inferior to the Roman legions. At length valour
 prevailed, and the Consul remained master of the
 field of battle. At the same time, and at a small
 distance from thence there was another action be-
 tween Bomilcar and Rutilius, and with the same
 success; so that the Romans were entirely victo-
 rious.

Metellus incamped four days upon the place
 where he had given battle. He took care of the
 wounded, honoured those with gifts who had
 distinguished

distinguished themfelves in the action, highly A. R. 643.
Ant. C. 109. praifed the whole army, and exhorted the troops to finifh the campaign with the fame courage; adding, that they had done enough in refpect to victory, and that all that remained was to gather the fpoils, which were the juft reward of it.

However, he fent out fpies to know where Ju-Jugurtha gurtha was, what his defigns might be, what re-raises a mainder of troops he had, and what afpect they new army. had after his defeat. They brought advice, that he was retired into places covered with woods, and of difficult access; and that he was raifing an army there more numerous than the firft, but little inured to war, and compofed of husbandmen and fhepherds. It is no wonder, that he was reduced to make new levies. Amongft the Numidians only thofe who formed the King's guards, followed him in the defeat. All the reft difperfed as they thought fit, without being deemed criminal; for that was the cuftom of the nation.

When Metellus faw, that he was upon the point Metellus of being obliged to begin a war again, in which ruins the he would have enemies to deal with, who always whole flat took advantages from the knowledge they had of country. the country, and who even, when defeated, loft lefs than the victors; he conceived, that it was neceffary for him to change his plan, and not to come to a battle. But he entered the richeft provinces of Numidia, ravaged the whole flat country, took and burnt abundance of towns and caftles little fortified and without garrifons, put all to the fword that were capable of bearing arms; and for the reft he abandoned every thing to be plundered by the foldiers. The terror which he fpread by thefe cruel hoftilities, occafioned hoftages to be fent him from all parts. Corn and munitions of all kinds were fent him in abundance

A. R. 643. according to his order, and Roman garrisons
Ant. C. 109. were received every where.

Jugurtha
surprizes
part of the
Roman
army. Jugurtha, more terrified by this new manner of making war, than the defeat which had preceded it, however did not lose courage, and had recourse to his usual stratagems. He left the greatest part of his army in his camp, and with the flower of his Cavalry, followed Metellus in the rear. The better to surprize him, he marched in the night, and through by-ways, so that whilst the Romans believed him far distant, and were dispersed in great numbers about the country, he fell suddenly upon them with great vigour. Most of them were unarmed. He killed many, and took a great number of prisoners. Then with as much circumspection as valour, he retreated to the neighbouring hills with his Numidians, according to the design he had formed, and the orders he had given before the battle.

Great joy
at Rome
for the
victory
gained
over Ju-
gurtha. Whilst all this passed, the news of the Consul's first success arrived at Rome. It was heard with great joy, that Metellus had reinstated the ancient discipline in his army; that he had gained a victory in a disadvantageous post; that he was in possession of the enemy's country; and that Jugurtha, so elate before from the defeat of Aulus, now saw himself reduced to seek his safety in deserts and by flight. It was decreed by the Senate, that solemn thanksgiving should be made to the gods, and the whole city universally praised the merit of Metellus.

New vigi-
lance of the
Consul to
prevent
being sur-
prized. This made the Consul more intent upon his duty. He knew that glory generates envy. The more reputation he acquired, the more he laboured to sustain it. He made haste to terminate the war; but however took no false measures through impatience, and gave the enemy no room to take advantages. Since Jugurtha's last surprize, he did not suffer his troops to straggle. When it was
necessary

necessary to bring in forage or provisions, those ^{A. R. 643.} who were sent for them, were always supported by ^{Ant. C. 109.} a good body of infantry with all the cavalry. He had divided his forces: he commanded one part of them himself, and gave the other to Marius. Thus there were always two bodies of troops, at a small distance from each other. They joined, when it was necessary to give battle; but without that, they kept different routes, in order to carry terror and desolation into a greater extent of country. For the rest, they burnt every thing in the country, and scarce gave themselves the trouble to plunder it.

Jugurtha followed the Romans upon the hills, ^{Jugurtha} and sought times and places for attacking them ^{continues} with advantage. He laid waste the country, ^{his skir-} wherever he foresaw the enemy were to pass. He burnt the forage, and spoiled the water of the springs, which are very rare in these regions. He sometimes incommoded Metellus, and sometimes Marius. He charged their rear-guards from time to time, and immediately after regained his hills. He made feints of sometimes attacking one body, and then the other. Thus, without hazarding a battle in form, he kept them in continual alarm, incessantly harrassing them, and breaking all their measures.

The Consul finding himself fatigued by the ^{Metellus} stratagems of the Numidian, was obliged to think ^{besieges} of coming again to a battle. But Jugurtha in- ^{Zama.} dustriously avoided it. To force him to it, Metellus resolved to attack Zama, a very strong place, situated in the western part of Numidia; conceiving, that Jugurtha would at any rate prevent the taking of so important a place, which might bring on an action. That Prince, having discovered the Consul's design by deserters, marched with so much diligence, that he was there before

A. R. 643. him. He went to Zama to exhort the inhabitants to make a good defence; and to reinforce their garrison, he left them all the Roman deserters in his army, entirely relying on their fidelity, because they could expect no quarter from Metellus. Besides this, he promised the people of that great city, that, at the proper time, he would not fail to come to their aid with powerful forces.

After having thus given his orders, he retired into places out of the common way, watching the motions of the enemy. He was informed, that Marius was detached from the gross of the army with some cohorts to fetch in corn, and convoy it to the camp. He fell suddenly upon him. But the valour of the Roman troops, and good conduct of their commander, prevented confusion; and Jugurtha missed his aim.

Marius arrived before Zama. It was a city situated in a plain, less fortified by nature than art, but well furnished with all things necessary for sustaining a siege. Metellus invested it, and having posted each of his Lieutenant Generals, he assaulted the place. The Roman army, according to custom, began by raising great cries on a sudden, and on all sides. The Numidians were not daunted by them. They seemed prepared to make a good defence. The attack was begun. The Romans discharged abundance of darts and stones. Sometimes they endeavoured to sap the wall, and sometimes to scale it. They were eager to join the enemy, and come to blows with them. The besieged, on their side, showered great pieces of stone, beams, javelins, and melted pitch mixed with sulphur upon them. Such of the Romans, who kept at a distance through fear, were not safe from wounds. Darts either discharged with the hand, or by machines of war, reached them every

every where. (a) Thus the cowardly shared the danger with the moſt valiant, but not the glory. A. R. 643.
Ant. C. 109.

Whilſt they were fighting in this manner around the walls of the city, Jugurtha well attended came ſuddenly on to attack the Roman camp, where nothing was leſs expected, and having pushed the guard he forced the gates. The troops were ſoon in diſorder. Many were killed and wounded. The greateſt part fled. Metellus, who was aſſaulting the place with ardour, hearing the noiſe of fighting behind him, immediately faced about, and ſaw the troops flying towards him. He inſtantly detached all the cavalry to the camp, and made Marius follow with part of the Latin infantry. Jugurtha, on their approach, retired. Jugurtha
attacks the
Roman
camp.

The next day, Metellus, before he gave a new aſſault to the place, poſted all his Horſe around the lines : he thence advanced to Zama. Jugurtha returned to the charge. But as preparations had been made to give him a good reception, his attack did not interrupt the aſſault, which the Romans were giving the place, who fought at the ſame time on both ſides with vigour. The beſieged from the top of the walls ſaw all that paſſed round the lines, and with anxiety watched the advantages and diſadvantages of Jugurtha. Marius, who remarked this from the ſide where he commanded, deſiring entirely to turn their attention to the object upon which it already was partly fixed, for ſome time abated the efforts of his ſoldiers, as if deſpairing of ſucceſs. Then on a ſudden he cauſed the ladders to be planted, and attacked the walls with more vigour than ever. The Romans had almoſt carried the parapet, when the inhabitants poured a ſtorm of ſtones, fire, and darts upon them. This was not all. Some of the lad-

(a) Parique periculo, ſed ſama impari, boni atque ignavi erant.

A. R. 643. ders being broke, thofe who were on them were
Ant. C. 109. dafhed to pieces in their fall, and the reft got off
as well as they could, moft of them wounded.
Night put an end to this affault, and alfo obliged
Jugurtha to retire.

The Conful Metellus confidering, that the fummer drew
raifes the towards an end; that the city feemed ftill in a
fiége of condition to defend itfelf a great while; and that
Zama. Jugurtha fought only by skirmifhes and ambuf-
cades; refolved to raife the fiége. He put gar-
rifons into the cities, that had revolted from the
King; after which he went into winter quarters
in the Roman province, upon the frontier of Nu-
midia.

During the He did not devote this interval to idlenefs and
winter he pleasures, as other Generals often did: and keep-
endeavour ing Jugurtha always in view, he formed new de-
to bring figns for effectually putting an end to the war. He
over the would have been highly praiſe-worthy, if he had
confidents employed only honourable methods. But we
of Jugur- have feen, that he was not ſcrupulous in that point.
tha. Every means for fucceeding was juft to him. He
therefore propoſed to surprize an enemy, he could
not reduce by force; and in order to that, to
bring over thofe, in whom he placed moſt confi-
dence, and to engage them to betray him. Bo-
milcar, who was the intimate confident of the
King, ſeemed to Metellus more capable of ſerving
him in his defign, than any other. He cauſed
propoſals to be made to him: he had even a ſecret
interview with him: and as that Numidian had
aſtually incurred the juſtice of Rome, been pro-
ſecuted as a criminal, as we have ſaid above, for
the murder of Maſſiva, and had eſcaped by
flight, the Conful promiſed him, that if he would
deliver up Jugurtha alive or dead, the Senate
would not only pardon his crime, but aſſure to him
the poſſeſſion of his whole eſtate. Bomilcar ſuf-

ferred himself to be easily persuaded; whether his genius was naturally inclined to perfidy, or that he feared on the concluding of a peace, his punishment would be one of the conditions.

He therefore did not let slip the first occasion that offered. One day perceiving Jugurtha anxious about the present state of his affairs, he accosted him, and with tears in his eyes conjured him, “to take pity on himself, his children and the whole Numidian nation, who had served him so well. He represented to him, that the events of all their battles had been fatal to them; that the country was laid waste; that great numbers had been killed and taken prisoners; and that the whole kingdom was either impoverished or ruined. That he had made sufficient proof of the valour of his people, and sufficiently tried fortune. That in a word, it was to be feared, whilst he was deliberating, that the Numidians would chuse for themselves, and make an accommodation.”

Jugurtha hesitated no longer. He dispatched Deputies to declare, that the King made an entire submission, and resigned without condition, both himself and his kingdom to the faith and discretion of Metellus. The Consul immediately assembled all the persons of the order of the Senators, who were then with him: and in the council, which he held according to custom, with them, and some others, whose presence he thought proper at this deliberation, it was decreed, that Jugurtha should pay two hundred thousand pounds weight of silver, about five hundred thousand pounds sterling; that he should deliver up all his elephants, with a certain quantity of arms and horses. When this was executed, Metellus again ordered him to send him all the deserters in chains. Most of them were actually delivered up: the

A. R. 643.
Ant. C. 109.

rest, as soon as they were informed, that Jugurtha intended to surrender himself, had escaped to King Bocchus in Mauritania. They had done wisely. For Metellus rose upon the rigour usually exercised against deserters by the Romans. Many of them, as Appian tells us, he caused to be fixed in the ground to their middles, and in that condition to serve as marks for arrows and darts, and then to have fires made around them, whilst they were still alive.

*Though
deprived
of every
thing, he
resumes
arms.*

When Jugurtha had been deprived in this manner of money, men, and arms, the consul sent to him, to come in person and receive the orders, which were to be given him. At that moment, all the horror of his passed crimes presenting itself to his imagination, he began to fear, that the Romans would inflict the punishment upon him he deserved. Full of these sad thoughts, he was seized with terrible agitations and confusion of mind. There was no retreat from the distress to which he saw himself reduced. To resume arms after all the blows he had sustained, and in the defenceless condition he was in, seemed of all things the least practicable. The thoughts alone of the wretched state into which he was about to fall, from the throne into slavery, made him tremble. After having past some days in these cruel uncertainties, he at length determined to renew the war.

A. R. 644.
Ant. C. 108.

SERVIVS SULPICIUS GALBA.
M. AURELIUS SCAVRVS.

*Metellus is
continued
in the com-
mand.*

Metellus was continued in the command of the army of Numidia with the character of pro-consul.

Jugurtha

Jugurtha prepared for war with great attention, without losing a moment's time. He assembled his troops; endeavoured, either by hope or fear, to bring back the places, which had quitted his party, to their duty; put those which had not revolted into a condition of defence; caused the old arms to be mended, and new to be bought; solicited the slaves of the Romans, and even the soldiers, with money; and spared nothing that could conduce to a good defence.

We have said, that Metellus, in the beginning of the preceding campaign, put a garrison into Vacca. The principal inhabitants, at the King's earnest request, and besides having always been well disposed in regard to him, formed a conspiracy against the Romans. It broke out upon the day of a solemn festival, when all the city were making merry, and the burghers had invited all the officers of the garrison to entertainments. The massacre was general. All the Roman officers and soldiers in the place were butchered. Only Turpilius, the governour of the city, found means to escape.

The news of this massacre extremely afflicted Metellus. He set out at sun-set with the legion that was with him in winter-quarters, and all his Numidian cavalry. The desire of revenging so cruel a treachery, and the hopes of plunder, made them support the fatigue of a forced march with great spirit. They arrived about three in the morning before the city, which expected nothing so little. The punishment in a manner trod upon the heels of the crime. Every thing was put to fire and sword. The place, which was very rich, was abandoned to the soldiers. Turpilius was then cited before the council of war, as suspected of treason, and holding intelligence with the inhabitants of Vacca, who had spared him. The case

A. R. 644. was not in his favour: and he defended himself
 Ant. C. 108. ill. Accordingly, though he was the particular friend of Metellus, who did his utmost to save him, he was condemned to be whipt with rods, and to lose his head.

It was on this occasion, that the misunderstanding between Marius and Metellus broke out. Marius was violent for the condemnation of Turpius, only because the General protected him. And some time after, the innocence of that unfortunate officer appearing, when every body declared the share they had in the Proconsul's grief, Marius took a malicious pleasure in insulting him, and boasting of having drawn the wrath of the gods, avengers of the violated rights of hospitality, upon the head of Metellus.

*Origin of
 the enmity
 between
 Marius
 and Me-
 tellus.
 Plut. in
 Marius.*

The * origin of this enmity was of a prior date. Marius, who was conscious of his superior merit, with which he united unbounded ambition, when Metellus had chose him one of his Lieutenant-Generals, did not consider himself as obliged to the Consul for an important employment, but as placed by fortune on a great theatre, where his talents might shine forth, and raise him to whatever was highest: and instead of labouring like the other officers for the General's glory, he took no pains but for his own; endeavouring to acquire esteem, and to turn the eyes of the army upon himself, in order thereby to raise himself to the Consulship, which was the height of his wishes.

*Beginnings
 of Marius.*

I believe it will not be disagreeable to the reader, if after Plutarch, I give in this place a brief account of the first years, and rise of a man, who is going to have a great and illustrious part in our history, and is equally famous for his virtues and vices, for prosperity and adversity.

* *This account of the beginnings of Marius, is the editors,*

Marius was, as every body knows, a soldier of fortune, born * of very indigent and obscure parents. The place of his birth was Arpinum, or some village in the territory of that city. He passes in history for a native of Arpinum; and Cicero, who was of the same town, in more than one place, takes great honour to himself from such a countryman, and boasts the glory of his native city, which had given two deliverers to the Commonwealth, Marius and himself.

A. R. 644.
Ant. C. 108.
His birth.

Cic. de
leg. ii. 6.

The education of Marius suited the fortune of his parents. They worked for their living, as he also (a) did, during the first years of his youth, as a day labourer in husbandry. It is easy to judge from thence, that he had no tincture of the Greek letters: and afterwards, when he was settled at Rome, he affected to despise what he did not understand. Engrossed by the ambition of power, he even thought it ridiculous to study the arts and sciences of a people, who were actually in subjection to a foreign yoke. He had, however, says Plutarch, great need to sacrifice to the Grecian graces and muses: and if he had learnt by the study of philosophy and the polite arts, to soften the ferocity of his character, and to moderate his passions, he would not have dishonoured the most glorious military exploits, and the most important services rendered his country, by perpetrating cruelties and barbarities, that give horror only to hear him named. But even in the most shining and most glorious times of his life, a kind of rusticity and ferocity was always remarkable in him. He

His education and
character.

* *Vellius is the only one I write with himself; for elsewhere know, that makes Marius descended from Roman Knights (l. ii. c. 128.) he gives him an obscure and unknown origin. (l. ii. c. 22.) Nor does he agree*

(a) *Alpinus alius Volscorum in monte solebat
Poscere mercedes, alieno lassus aratro. Juv. Sat. 8.*

had

A. R. 641.
Ant. C. 108.

had all the good as well as all the bad of a rustick education. His manners were always rude and gross: but he (a) was sober, austere, inured to labour and fatigue, despising riches and pleasures, and only greedy of glory. As to the probity ascribed to him by Sallust, he could only have deserved that praise by the regularity of his manners. For he never knew either integrity, sincerity, or gratitude, when the pursuit of his views were in question. He was a man that had but one passion, the desire of aggrandizing himself, to which he never made any scruple to sacrifice every thing.

*He makes
his first
campaign
under Sci-
pio Africa-
nus, and
acquires
his esteem.*

It was this ambition that made him quit the plow, to take up the profession of arms, by which he was in hopes of raising himself. He had the good-fortune to be formed by a great master. He made his first campaigns at the siege of Numantia, under Scipio Africanus. That great man, who spared no pains to know his soldiers, and had the greatest penetration with the most unerring judgment, distinguished young Marius from the rest. He observed, that he gave more readily than any one into all the reformatations he made in his camp, and the re-establishment of discipline. He was a witness of his bravery on an occasion, wherein Marius killed an enemy in his fight. In consequence he attached him to himself by praises and honourable rewards: and it is even said, that Scipio being one day at supper with several officers, the discourse happening to turn upon Generals, one of the company, either to make his court to him, or in simple sincerity, asked him, who was the person capable of succeeding him? Scipio, striking Marius softly on the shoulder, said,

(a) Industria probitas—
animus lubricus & divitiarum

victor, tantummodo gloriæ a-
vidus. *Sallust.*

Perhaps

Perhaps this will be the man. If this fact be true, A. R. 644. Ant. C. 108. it undoubtedly proves, as Plutarch observes, a great superiority of genius, both in him, who so early appeared so great, and in the person who from the first beginning judged so well of the future. The historian adds, that this saying of Scipio's was caught up by Marius as an oracle, which exalted his courage, and emboldened him to enter the path that led to honours and offices.

He was at first Tribune of the soldiers: And He is created Tribune of the soldiers. Sallust (a) observes, that when he was chosen into that office by the people, his actions alone solicited in his favour. For he had appeared much more in camps and armies, than in the Forum; and most of those, who voted for him, did not so much as know him by sight.

He afterwards became tribune of the People And afterwards Tribune of the People. Val. Max. vi. 9. the 633d year of Rome, not without having before experienced a refusal, according to Valerius Maximus, who even says, that he had received the same affront in his little town of Arpinum, where he could not obtain any municipal office. But nothing was capable of disconcerting him; and the consciousness of his own merit, joined with his ambition, supported him against all the events that were most capable of discouraging him: He was assisted in obtaining the office of Tribune, by the credit of one Metellus, to whose house himself and his forefathers had been attached many years.

Sallust (b) says, that in all the inferior offices,

(a) Stipendiis faciundis, non Græca facundia, neque urbanis munditiis sese exercuit—Ergo ubi primùm Tribunatum militarem à populo petit, plerisque faciem ejus ignorantibus, facile (or rather factis)

notus per omnis tribus declaratur.

(b) Semper in potestatibus eo modo agitabat, ut ampliore quam gerebat dignus haberetur.

A. R. 644. through which Marius passed, he acted so, as to
 Ant. C. 108. shew himself worthy of the greatest. This he particularly confirmed in his Tribuneship, in which he acted with a dignity, constancy, and loftiness above his present condition and fortune. His great exploits afterwards, and most splendid prosperity, could scarce have inspired him with a more noble pride.

He passes a law, notwithstanding the opposition of the Senate. He proposed a law, which instituted a new precaution against cabals in the assemblies of the People, and in the manner of giving suffrages. This law displeased the Senators, whose credit it seemed to abridge; and the Consul Cotta passed a decree in the Senate, for citing Marius to give reasons for his conduct. He obeyed, and appeared before that august assembly, not as a subaltern, that was to justify himself before superiors, but as a master, that gives the law; and declared to the Consul, that, if the decree which had just passed, were not cancelled, he would commit him to prison. They were not much terrified by that menace, and Metellus, who gave his opinion first, seconded the Consul. Upon that Marius made his Serjeant enter, and ordered him to seize Metellus, and carry him to prison. Metellus implored the aid of the other Tribunes, but ineffectually. The Senate was obliged to give way, and the law passed. This vigorous action did the Tribune great honour: and the People considered him as a defender, ready to espouse their party on all occasions against the Senate. They were mistaken; and had soon proof of it.

He prevents a largess, which one of his Collegues was for giving the people. One of his Collegues brought on a law for distributions of corn to the citizens. Marius rose up against this largess, and continuing firm to the last, prevented the law from being passed. By this conduct he made himself equally esteemed by both parties, as not seeking to please either the one

one or the other, and having the publick good A. R. 644-
Ant. C. 108. solely in view.

After the Tribuneship, he stood for Curule He loses Ædile. But, as (a) Valerius Maximus observes, his election he could only make his way into the Senate by twice in dint of suffering many repulses. The adventure one day. is singular, and without example. When he saw he was upon the point of losing the Curule Ædileship, he renounced it through necessity. But the same day the Plebeian Ædiles were elected. He offered himself for this second charge inferior to the other: and was again rejected. Thus he was the only Roman, that had ever experienced two repulses in one day. He however lost nothing of his haughtiness or hopes, and soon after stood for the Prætorship.

He was not rejected; but was very near it. He is elect- For of the six Prætors, which were elected, he ed Prætor was the last chosen, and not without great diffi- with great culty. He was presently after accused of cabal- difficulty, ling. I have spoke above of Cassius Sobaco, who and is ac- was noted by the Censors on this occasion. As to cused of Marius, he supported the hazards of a trial with convicting. his usual loftiness. The accusers having demand- ed, that Herennius should be heard as a witness, the latter pretended, that he ought to be dispenced with, as Marius and his relations were his clients. It was the interest of the accused to suffer the thing to pass in this manner without noise; and to spare himself a witness against him. But That his pride could not admit. He rose up, and declared, he was not any person's client, from the moment he had been a magistrate. This however, as Plutarch remarks, was not strictly true.

(a) Patientiâ repulsarum irrupit magis in Curiam quam venit.
Val. Max. vi. 9.

A. R. 644
Ant. C. 108. For only the curule officers discharged clients from their dependence upon their patrons. Now Marius had not yet filled a Curule chair. However it were, the affair at first went very much against him. But at last, the judges being divided in their suffrages, he thereby escaped condemnation, and continued in possession of the Prætorship.

He exercised it the 637th year of Rome with no great reputation. The next year he was sent into Hispania ulterior, where he chased some troops of robbers.

At his return to Rome, as he had neither riches nor eloquence, he wanted the two advantages, which at that time attracted most consideration. However, the virtues of ancient times, which were seen to shine out in him, a lofty soul, a courage superiour to all fatigue and danger, a perfect simplicity in his way of living, and, in a word, his severity of manners, did not fail to make him honoured. He married at this time, and made a good alliance, his wife being Julia, who was Cæsar's Aunt; and this was the first engagement that brought Cæsar into the popular faction.

His fortitude in bearing pain.

Plutarch gives us here a remarkable instance of Marius's courage in suffering pain. He had swollen veins (*varices*) which disfigured his legs, and resolved to have them cut. In consequence he had one of them treated by a surgeon, whom he would not permit to tie him, and suffered the operation without moving, or crying out in the least, with a calm countenance and profound silence. The pain was however cruel, (*some say it was searing with hot irons*) and he would not suffer the surgeon to operate upon the other leg, saying, that the cure was not worth the pain.

Thus,

Thus, says (a) Cicero, he bore pain like a man of courage; but thought it was not consistent with human nature to suffer it unnecessarily out of choice.

Marius had passed five years since his Prætorship, without making any new advances towards fortune. The question with him now was to attain the Consulship. But the Nobility barred the entrance to it against *new men*. They sometimes permitted them to share in the other offices: but they reserved this supreme dignity to themselves, which they would have thought disgraced, if it had fallen into the hands of a man of mean birth. Metellus, against his intention, supplied Marius with the means of forcing this barrier, by making him his Lieutenant-General in the army of Numidia. This was putting him into his own element: and in this employment he behaved in the most proper manner to deserve universal esteem and admiration. No labour or danger, though ever so great, were capable of dismaying him; nor any useful function, so low and minute, as to be disdained by him. He took place of all his own rank by prudence, and superiority of views, and for simplicity in eating and drinking, and patience in fatigues, vyed with the meanest of the soldiers: and thereby he made himself extremely beloved. For, says (b) Plutarch, nothing consoles those, who are obliged to undergo great fa-

Metellus chooses him his Lieutenant General. His conduct in that Office:

(a) Ita & tulit dolorem, ut vir: & ut homo majorem ferre sine causa necessaria noluit. *Tusc. Quest. ii. 53*

(b) "Ὅλως μὲν γὰρ εἶοικε τῷ κάμνεν ἑκάτῳ παραμυθία τὸ συγκαμνεν ἑκαδίως εἶναι. δοκεῖ γὰρ ἀναιρεῖν τὴν ἀνάγκην· ἥδιστον δὲ Ῥωμαίων δέμας σφάτιώτῃ σφάτῃ γὰρ ἐσθίων ἐν ὧν κοινὸν ἀρ-

τον ἢ κατακειμένῳ ἐπὶ σιβάδῳ ἐντελῆς, ἢ περὶ ταορείαν τινὰ καὶ χαλαρῶς ἔργα συνεφαπτόμενῳ· ἔγὰρ ἔστα τὴς τῆς τιμῆς καὶ τῶν χρημάτων μέταδοσιν, ὥς τῷ πόσι καὶ κινδύνῳ μελαλαμβάνοντας ἡγεμόνας θαυμάζουσιν, ἀλλὰ μᾶλλον ἀγαπῶσι τῶν ἐσθυριῶν ἐπιβριπίων τῆς συμπονεῖν ἰδέ- λωτας.

A. R. 644.
Ant. C. 108.

tigues, like seeing others share voluntary in them. This in some measure removes their necessity and constraint. Accordingly the most agreeable of all sights to the Roman soldiers, was a General eating brown bread with them, lying upon leaves, and lending a hand in opening a trench, or fixing the palisades. They did not esteem the commanders so much, who shared glory and riches, as those who condescended to share in fatigues, with them: and to share in labours with them was a more certain means to gain their affection, than to suffer them to be idle. Such was the conduct of Marius: and this method of attaining the Consulship had undoubtedly been highly laudable, if he had not added dark contrivances, bad practices, and at length declared enmity against a General, of the greatest merit and virtue, and one to whom he had obligations.

Metellus indeed did give him some cause of complaint. That general had excellent qualities: but he was (*a*) proud, haughty, and contemptuous; a fault very common to the Nobility.

*Metellus
refuses him
permission
to go to
Rome to
stand for
the Con-
sulship.*

When Marius therefore asked to be dismissed the service, and permission to go to Rome, to stand for the Consulship, Metellus seemed amazed at that proposal, as at something extraordinary, and advised him as a friend, “not to embark in
“so strange an enterprize, and form designs
“above his condition. He told him that it did
“not suit every body to aspire at the first offices:
“that he ought to be sufficiently satisfied with
“his fortune: and lastly, that it would argue
“prudence in him not to demand that of the
“People, which would draw upon him the shame
“of a just repulse. That for the rest, he would

(*a*) Inerat contemptor animus, & superbia, commune Nobilitatis malum. *Sallust.*

“ discharge

“ discharge him, as soon as the publick affairs A. R. 644.
Ant. C. 108.
 “ would admit.” As he found himself extremely perplexed by Marius, who afterwards repeated the same demand, he answered him with insult, “ That he should not be in such haste to set out for Rome: That it would be time enough for him to ask the Consulship, when his own son should do so.” This young Metellus, who then served under his father, was only twenty years old; and a person could not be Consul till forty-three.

So declared a contempt only served to increase *Marius* the strong desire Marius had to attain the Consul-*asperges* ship, and to exasperate him against his General. *Metellus.* He (*a*) harkened from thenceforth to nothing but his resentment and ambition, evil and dangerous counsellors. His sole care in the winter-quarters, where he commanded, was to gain the soldiery, by abating in the severity of the discipline, and treating them with more than common indulgence. Besides which, as there were a great number of Roman merchants at Utica, he never ceased decrying Metellus to them, as a man of greater show than merit; whose pride was insupportable, and who expressly spun out the war, to have the pleasure of commanding the longer. That as for himself, with half the troops Metellus had, he could easily take Jugurtha in a few days, and bring him bound hand and foot to Rome. This discourse made the greater impression upon these merchants, as they were very weary of a war, that ruined their trade. Thus all, as well soldiers as merchants, in hopes of seeing the war soon terminated under another General, in their letters to their friends at Rome, made great complaints of Metellus, and highly extolled the merit of Marius.

(*a*) Ita cupidine atque ita, pessimi consulti, grassari.

A. R. 644.
Ann. C. 108.

Factionous persons make use of every aid. Marius gained even a Numidian Prince, named Gauda, to his interests; he was Masinissa's grandson by Manastabal. He allured him by the hopes of the kingdom of Numidia, which could not fail of being his, as soon as Jugurtha should be killed, or taken. The spirit of that Prince was damped by great and continual sickness. Besides which, he was dissatisfied with Metellus, who had refused his services upon several chimerical and ridiculous pretences. Gauda, in effect, was easily persuaded by Marius, and joined those who solicited the Consulship for him.

Bomilcar's
conspiracy
against
Jugurtha
discovered.
He is put
to death. In the mean time Jugurtha found himself in danger of being destroyed by the artifices of the Roman General, and the treachery of some of the principal persons of his court. We have said before that Bomilcar, brought over by Metellus, had advised that Prince to surrender to the Romans. Jugurtha having only followed that counsel in part, and stopt just when it was to be put in final execution, conceived a distrust of the person, who had given it him. Bomilcar discerned this; and to prevent the revenge of a violent Prince, who spared nobody, was resolved to compleat his work, and to save his own life by killing his master. He brought a Numidian Lord into his design, who was highly considered by his country, on account of his birth, employments and riches, and in great esteem with the King. Unhappily for them the conspiracy was discovered: It cost Bomilcar his life; the just reward of his perfidy.

Extreme
anxiety of
Jugurtha. But the alarm, which a conspiracy, formed by the dearest and most intimate of his confidents, gave Jugurtha, affected him so much, that he had no longer a moment's tranquillity. He thought himself safe no where. The night, the day, the citizen, the stranger, all made him tremble. He never

never slept but by stealth, frequently changing his apartment and bed, without regard to the decorum of his rank. Sometimes starting up, he would seize his arms and raise great cries, so much had fear got the better of his reason.

When Metellus knew, by the report of deserters, that the conspiracy had been discovered, and Bomilcar put to death, he prepared to renew the war. Marius continually demanded to be dismissed. As he could not hope much service from a man, who believed himself injured, and was disagreeable to him, he at length permitted him to retire.

Marius was received at Rome by the People with great marks of esteem and affection. What had been wrote thither from Africa, had made great impression in his favour. The high birth of Metellus, which had before acquired him respect, served no longer but to excite enmity against him; and, on the contrary, the obscurity of Marius's extraction recommended him to the People, who thought themselves despised in the contempt expressed for *that new man*, as the Nobility termed him. The Tribunes, on their side, laboured incessantly to animate the People, and never harangued, without giving Marius the greatest praises, and loading Metellus with reproaches. For the rest, it was not by the good or bad qualities of either the one or the other, that the affair was determined: cabal, and the spirit of party, were the sole motives in it.

The credit of the Nobility was very much sunk, since many of them had been condemned, as we have seen, for the crimes of peculation and extortion, and the power of the People much augmented. This appeared fully in the election of Consuls. The People declared openly for Ma-

A. R. 644.
Ant. C. 108.

rius, and, what had not happened for many years*, a new man was elected into this Office. L. Cassius Longinus was given him for Colleague. This was not all: at the request of one of the Tribunes, the command of the army of Numidia, which had been continued by the Senate to Metellus, was conferred by the People upon Marius.

Cicero's
opinion of
the means
used by
Marius for
attaining
the Consul-
ship.

We now see the new Consul satisfied and triumphant: but he attained all this greatness solely at the expence of probity and gratitude. It will not perhaps be disagreeable to give Cicero's opinion of such a conduct a place here. He begins with a brief account of the intrigues and artifices, used by Marius to discredit Metellus; and then adds: "He (a) was at length elected Consul; " but he departed from the Rules of honour and " justice in calumniating an excellent and illustri- " ous citizen, who had made him his Lieutenant " General. Can we, says he, after this consider " him as an honest man? Can an honest man, " from the motive of interest, lye, calumniate, " deceive, and defraud others of their right? Cer- " tainly, No. Is there upon earth any advan- " tage, however desirable it may appear, for " which it is allowable to sacrifice the name and

* *Q Pompeius is believed to have been the last new man, who attained the Consulship, four and thirty years before.*

(a) Factus est ille quidem Consul, sed à fide justitiæque discessit, qui optimum & gravissimum civem, cujus legatus fuerat, in invidiam fallo crimine adduxerit. Possumusne Marium virum bonum judicare?—Cedit ergo in virum bonum, mentiri emolumentum sui causæ, criminari præripere, fallere? Nil profecto minus.

Est ergo ulla res tanti, aut commodum ullum tam expectandum, ut viri boni & splendorem & nomen amittas. Quid est quod afferre tantum utilitas ista, quæ dicitur, possit, quantum auferre, si boni viri nomen eripuerit, fidem justitiæque detraxerit? Quid enim interest utrum ex homine se quis conferat in belluam an in hominis figura immanitatem gerat belluæ? *Cic. de Offic.* iii. 79, 81, 82.

“repute

“repute of an honest man? Wherein will this
 “imagined utility compensate the loss sustained
 “by renouncing justice and probity? Is it not
 “transforming one’s self into a brute beast, when
 “under the form of a man are concealed the avi-
 “dity and violence of a brute?” Could the most
 severe casuist express himself with greater energy?

C. MARIUS.
 L. CASSIUS.

A. R. 645.
 Ant. C. 107.

Metellus did not yet know what had passed at Rome, and not doubting but that he should be continued in the command in Numidia, he applied to the war with vigour.

Jugurtha having lost his friends, most of whom he had put to death himself, and had reduced the rest to take refuge either amongst the Romans, or with Bocchus King of Mauritania, was in strange perplexity. He could not make war alone, and without officers. And having lately experienced the perfidy of his old servants, how could he rely upon the fidelity of such as were but just entered into his service? Every thing was suspicious to him. He changed his route and officers every day. Sometimes he seemed to intend to seek the enemy, and sometimes he retired into his solitudes. He often fled, and soon after expressed impatience for coming to a battle. He relied neither upon the fidelity nor valour of his subjects. Wherever he turned his thoughts and designs, he could see nothing that was not sinister.

Whilst he was fluctuating in these uncertainties, Metellus appeared on a sudden with his army. Jugurtha, in this surprize, drew up his troops in as good order as the little time he had would admit. The battle began, and in the place, where the King was, there was some resistance. All the

A. R. 645.
Ant. C. 107.

rest gave way, and were routed, at the first charge. The Romans remained masters of the colours and arms; but they took few prisoners, because most of the Numidians escaped by flight. For, says (a) Sallust, that they know much better how to do, than to fight.

*He retires
to Thala,
and quits
it soon
after.
The place is
besieged,
and taken
by the
Romans.*

After this defeat, Jugurtha again despaired of the success of his affairs. He fled to the deserts with the deserters, and part of his horse. From thence he repaired to Thala, a great and rich city, where he kept most of his treasures, and his children were educated. Though, in order to arrive there, it was necessary to cross fifteen leagues of a sandy country without water, Metellus followed him thither, in hopes of terminating the war by the conquest of that place, and caused water to be carried thither in leathern bags. The sudden arrival of Metellus extremely surprized both Jugurtha and the inhabitants. That Prince, seeing that nothing was capable of stopping the Roman General, escaped by night from Thala, carrying with him his children, and the greatest part of his treasures. The flight of the King did not prevent the city from making a good defence: it was very well fortified both by art and nature. The siege continued forty days, at the end of which the Romans, after many fatigues and dangers, made themselves masters of the place. But they lost the whole plunder of it. The deserters, seeing that the rams had made a breach in the walls, and they had no resource left, carried the gold, silver, and every thing of most value in the city, into the King's palace. There, after filling themselves with wine and good cheer, they set fire to the palace, and destroyed themselves with every

(a) Nam ferme Numidas in omnibus præliis magis pedes quam arma tutata sunt.

thing there in the flames; thereby condemning themselves to a greater punishment, than they could have apprehended from their enemies. A. R. 645.
Ant. C. 107.

Jugurtha, after the taking of Thala, seeing that nothing could withstand Metellus, removed, with few followers, through great desarts into the country of the Getuli, a savage and barbarous people, who did not so much as know the name of Roman. He assembled them, accustomed them by degrees to keep their ranks, follow ensigns, execute the orders of their commander, and in a word, to perform all the duties of war. *Jugurtha
arms the
Getuli.*

On another side, he supported himself with the alliance of Bocchus. That Prince, at the beginning of the war, had sent Ambassadors to Rome, to demand to be received into the alliance of the Roman People. This was a considerable advantage in respect to the war undertaken against Jugurtha. But the avarice of a small number of Senators made this affair miscarry; whether they were bribed by Jugurtha's money, or were for making Bocchus buy the alliance of the Commonwealth. For Sallust is not very explicit upon this head. This refusal had prejudiced the King of Mauritania against the Romans, and made him the more ready to hearken to the solicitations of his kindred and friends, who gained by the Numidian, determined him to unite with him. Besides which, Jugurtha was his son-in-law. But indeed, these alliances had no great weight with the African Princes, who had many wives. The two Kings agreed upon a place for joining their armies. They there gave each other their faith in form. Jugurtha animated Bocchus, by representing to him: "That the Romans were the most unjust
" people upon earth, of insatiable avarice, ene-
" mies to all mankind, and in particular to all
" Kings. That as it was ambition alone, that
" made

*He engages
Bocchus to
declare a-
gainst the
Romans.*

A. R. 645 " made them arm, they successively attacked all
 Am. C. 107. " Kings and States, now him (Jugurtha) hereto-
 " fore Perseus and the Carthaginians, and as soon
 " as possible Bocchus himself."

*The two
 Kings
 march to
 Circa.*

The two allied Kings marched together towards the city of Circa, where Metellus had laid up his plunder, and kept his prisoners and the baggage of his army. Jugurtha judged that taking the city would be a great blow, or that, if the Romans should come to its relief, there would be a battle, which he much desired. For his view was, by some signal action, to engage Bocchus on his side in such a manner, as should make it impossible for him to recede.

*Metellus
 moves this
 year im-
 mediately.*

Metellus having received advice of the alliance and junction of the two Kings, marched to incamp near the city of Circa, and took care to intrench himself well there. His design was not immediately to offer Jugurtha battle, as it had been his custom before. He thought it necessary to change his conduct, in order to know previously to all things what kind of enemies the new ones were, who had lately joined the others; after which he would be more capable of taking his advantages in a battle.

*Grief of
 Metellus
 being ap-
 prized,
 that Ma-
 rius is to
 succeed
 him.*

It was here that he received the news, that Marius was appointed to succeed him: he knew before, that he had been chosen Consul. Whatever force of mind Metellus had in other respects, he could not support this unforeseen stroke, which made him shed tears, and say things little worthy of so great a man. It was indeed a mortifying thing, to have an almost certain victory, which he had so much advanced, torn out of his hands. But; what affected him most, was that the honour of it should be transferred to his enemy. For, had the command been taken from him to be

be given to any one but Marius, he would have been much less sensibly afflicted.

A. R. 645.
Ant. C. 107.

The concern Metellus was under, prevented him from acting with his usual vigour; besides which he thought it madness for him to forward an enterprise at his own peril, of which another was to have all the advantage and glory. He contented himself with representing to Bocchus by his envoys, "That he should not make himself an enemy of the Roman People without cause: That he had a fair occasion of making an alliance and amity with Rome, which were much preferable to war for him. That, whatever confidence he might have in his forces, it was not prudent to hazard certainty for uncertainty. That it was easy to engage in a war, but often highly difficult to extricate one's self out of it. That the entrance of it was open even to the most cowardly, but to quit it depended only on the victor. That therefore he should maturely consider what suited him and his kingdom; and not compound his present flourishing fortune with the unhappy fate of Jugurtha."

Bocchus replied, That peace was his desire; but that he pitied Jugurtha's misfortunes; and that if Metellus thought fit to make his ally the same offers as had been made to himself, all parties would soon come to an agreement. The General sent again to Bocchus, who approved some of the proposals made to him, and rejected others. These negotiations took up time, and prevented both from acting, as Metellus desired.

S E C T.

S E C T III.

Marius prepares every thing for his departure. He barrangues the People. He sets out from Rome, and arrives in Africa. Metellus is perfectly well received at Rome. The honour of a triumph is granted him. Upon an accusation of extortion, his judges refuse to examine the journal of his administration. Marius begins by forming, and inuring his troops for war. He besieges and takes Capsa, a place of importance. He besieges a castle, which was thought impregnable, and is almost discouraged by the difficulties he finds at it. A Ligurian climbs up the rocks, and gets to the top of the fort. He reascends it again with a small detachment given him by Marius. The detachment enters the fort, and the place is taken. Sylla arrives in the camp. Birth and character of that famous Roman. Bocchus joins Jugurtha with his troops. They attack Marius, and have some advantages at first. They are afterwards defeated and put to the rout. Marius's care in marching. New battle, in which the Romans are again victorious. Bocchus sends Deputies to Marius, and then to Rome. Marius, on the instances of Bocchus, sends Sylla to him. After much fluctuation, he delivers up Jugurtha into Sylla's hands. The latter ascribes the glory of this event to himself. Marius's triumph: miserable end of Jugurtha. DETACHED FACTS. Censorship of Scaurus. The son of Fabius Servilianus banished the city, and then put to death by his father, for his infamous conduct. The son of Fabius Allobrogicus interdicted by the Prætor. Singular character of T. Albucius. His vanity. He is condemned for extortion. Scaurus accused before the People, and acquitted not without great difficulty. The Tribune Domitius transfers the elections of Pontiffs and Augurs to the People,

WHILST

WHILST these things passed in Africa, A. R. 645.
Ant C. 107. Marius took extreme care to provide every Marius thing that was necessary for the war consigned to prepares him. He levied recruits for the legions; and de- everything manded auxiliary troops of the Allies, States, and for his de- Kings: he invited the bravest of the Latines to parture. join them, and even perswade those, who had served out their time in war, and been discharged, to follow him in this expedition. Every body was eager to give in their names for serving un- der him. They assured themselves of victory, and did not doubt but they should return laden with booty. This declared zeal for Marius mor- tified the Nobility very much. On his side he treated them with haughtiness, slipt no occasion for attacking, and decrying them publickly, and boasted frequently, that the Consulship was a tro- phy he had gained over the effeminacy and worth- lessness of the Nobility. The vehemence of his harangues to the People may be judged from that which Sallust has preserved, or perhaps lent him, and I proceed to repeat here.

I know, Romans, said he, that most of those, Speech of whom you raise to dignities, behave in a quite diffe- Marius to rent manner after they have obtained them, from the People. what they do when they sollicite them. At first they appear laborious, suppliant and modest: but after- wards, as soon as they are invested with your favours, they abandon themselves to sloth and pride. In my opinion, the reverse of this behaviour ought to be ob- served. For as the interest of the publick is infinitely to be preferred to the Prætorship and Censorship, more attention ough to be had in the administration of the State, than in solliciting offices. I am not igno- rant how heavy a burthen that is, which you have conferred on me. To labour in making preparations of war, and at the same time to be frugal of the pub- lick

A. R. 645.
AEL. C. 107.

lick money; to oblige persons to enter into the service, whom one would not willingly offend; to have the care of all things at home and abroad; and to acquit oneself of all these duties in the midst of the invidious, the fastidious, and declared enemies, is a more rude and arduous situation, than can well be imagined. To this add one more inconvenience, which is peculiar and personal to me. If others commit a fault, their ancient Nobility, the glorious actions of their ancestors, the credit of their families and relations, the great number of their clients, all these, in a manner, come in to their aid, and secure them: whereas all my resources are in myself, and I have no support, but what I am to find in virtue and innocence: for all the rest are wanting to me. I see that the eyes of all the world are upon me. The equitable and judicious favour me, because they are convinced, that I have no view in all my actions, but the publick good: but the Nobility seek only occasions to discredit and prejudice me. This is one reason, that induces me to make new efforts, that I may not frustrate your expectation, and may render their bad designs ineffectual. From my earliest youth I have accustomed and inured myself to labour and danger. What I have hitherto done from the mere love of virtue, I ought now with more reason to do out of gratitude, since you have laden me with your favours: and this is entirely my resolution. It is hard for those, who, to attain dignities, have assumed the mask of virtue, to continue long in that constraint, when their ambition is satisfied. As for me, who have exercised myself in it all my life, I can say, that long habit has in a manner rendered it natural to me. You have charged me with the war against Jugurtha: and this is what gives extreme offence to the Nobility. Now I desire, Romans, you will consider with yourselves, whether, instead of the choice you have made, it would be better for you to take, out of that troop of the Nobility, to fill

fill up the office in question or some other the like, A. R. 645.
Ant. C. 107. a man of an ancient family, and one adorned with having borne all the great offices of the State, but without service and experience; in order that in the conduct of so important a war, perplexed for want of practice, and entirely disconcerted, he may take out of the very people he despises a guide and monitor, to shew him his duty. And indeed, it often happens, that a man whom you have chosen General to command an army, has more need of another General to command him, and to be to him instead of a master. I know some, who when elected Consuls, have began to read our histories, and to study the art military in the Books of the Greeks. This is manifestly reversing the order of things. For, though they do not command till after they have received authority; before they have authority, they ought to learn to command. Suffer me now, Romans, to compare with these proud Nobles your Consul, whom they are for lessening with the title of New Man. What they learn from reading and precepts, I have learnt by practice and experience themselves. The instruction they have from books, I have from many years of actual service. And now judge on which you ought to set most value, on words or actions. They despise the meanness of my birth; and I that of their valour. I am reproached with my fortune, they with the unworthiness of their conduct. But, after all, I know, that men are all of one and the same nature; and that, consequently, the most worthy are the most noble. And indeed, could we ask at present the forefathers of Albinus or Calpurnius, who they would rather have for sons, those actually descended from them, or me, is it to be doubted but they would answer, that they always desired to have children virtuous and estimable for their own merit? If they think they have a right to despise me, they must then despise their ancestors, who began their nobility by virtue. They
envy

A. R. 645.
 Ant. C. 107.

envy my dignity: why don't they also envy my labours, dangers, and the innocence of my life, that are the steps by which I attained it. But these men, whom their perverse pride has blinded, behave as if they despised your dignities, and ask them with as much coldness and confidence, as if they had deserved them by the wisdom and virtue of their conduct. They are certainly in a very great error, to think of uniting in themselves things so incompatible, and to pretend to the rewards of virtue, whilst they enjoy the pleasure of idleness. When they speak before you, or in the Senate, they take extreme care to celebrate their ancestors, and believe repeating their glorious exploits, reflects great honour upon themselves. But this is just the reverse. For, the more the lives of those great men abound with noble actions, the more these of their descendants, if without them, deserve contempt. The glory of ancestors, it must be owned, is a light for their posterity: but a light that equally illustrates vices and virtues. As for me, I cannot boast my ancestors, but I can repeat my own exploits, which is undoubtedly more glorious. Observe, I beg you, how unjust they are. They pretend to derive lustre from the merit of others; and will not admit me to derive any from my own, because I have not those ancient statues at home, with which they adorn their houses, and because my glory is recent. But is it not better to be one's self the author of one's own nobility, than to dishonour that derived from ancestors? I know, if they should undertake to answer me, they would not fail to employ fine words, and to make very eloquent discourses. This is a glory I do not pretend to dispute with them. But as, whilst you take pleasure in doing me honour, they spare no calumnies on all occasions against you and me, I thought it incumbent upon me not to hold my peace, lest my silence should be taken for admitting what they say. For, at bottom, I have nothing to fear,
 and

and no discourse can hurt me. If it be true, it can be only to my praise; and, if false, my actions sufficiently bely, and refute it. But, Romans, as all this is intended against you, and they presume to censure you, for having first confided the supreme dignity of the Commonwealth; and next the command of a very important war, to me; reflect seriously, I conjure you, whether you have any cause to repent it. I cannot, to assure you of what you are to expect from me, produce the Statues, Consulships, and Triumphs of my ancestors; but, if it is necessary, I can set before you military rewards of every kind; pikes, ensigns, crowns: I can shew you the scars of honourable wounds all received before. These are my statues, these the titles of my nobility, which have not fallen to me by inheritance, as to my adversaries, but which I have acquired by my labours and dangers. You find no art or order in my words: that is an art upon which I neither pique myself, nor set much value. Virtue makes itself known sufficiently by itself: others may stand in need of fine discourse to cover the shame of their actions. I have not applied myself to the study of the Greek literature; as I saw, that those who have, did not become better men in effect. But what I have learnt, and which is of more value for the service of the Commonwealth, is to use the sword, to keep my post, to attack or defend a place well, to fear nothing but infamy, to suffer cold and heat alike, to have no other bed but the earth, and at the same time to support both hunger and fatigue. And these are things I shall teach my soldiers. I will not let them live in want, whilst I riot in plenty. I will not assume all glory to myself, whilst they have only toil and labour. Such a conduct ought not to be observed in respect to citizens. To live one's self in sloth and luxury, and exact rude service and fatigue from the soldier, is to act as a master

A. R. 645.
A.D.C. 107.

over slaves, not as a General. It was by a quite different conduct our ancestors acquired themselves so much glory, and did the Commonwealth so much honour. Now the Nobility, after having entirely degenerated from their glory, despise us, us, who endeavour to tread in the steps of their ancestors; and exact dignities from you as their right, without taking any pains to deserve them. I repeat it: these men so proud of their birth impose strageiy upon themselves. Their ancestors left them all that it was in nature to transmit, their riches, statues, the glory of their names and great actions: but they have not left them their virtue, nor indeed could they do it; virtue of all good things being the only one, that can neither be transmitted, nor inherited. They say I live in a gross manner, and without what they call elegance and politeness, because I have no great skill in setting out a feast; make no use, at the entertainments I give, of comedians and buffoons; and that I give no more for a slave, that is to be my cook, than for one to work in my field. All this is true, and I freely confess it. I learnt from my father, and other persons of virtue, that ornament is for women, as labour is for men: that men of worth ought rather to aspire at glory, than at riches: that arms do more honour, than the most magnificent robes. As they think quite otherwise, let them follow their taste. Let them pass their days in wine and debauches; let them end their lives, as they have begun them; and leave to us dust, and sweat, and military fatigues, which we prefer to all their voluptuousness. But they do not act in this manner. After having wallowed in shameful pleasures, they come to deprive us of the rewards of virtue and valour. Thus, through insupportable injustice, depravity of manners and luxurious ease, which ought to exclude them from all offices, does them no hurt, and are only fatal
to

to the Commonwealth, in giving it unworthy leaders and magistrates.

A. R. 645.
Ant. C. 107.

After having answered my enemies, not so much as their infamous conduct, but as my own character required, I shall add a few words upon the publick affairs. Above all things, Romans, you should expect, with a kind of assurance, good success of the war in Numidia. You have removed all the obstacles, that formed Jugurtha's strength: I mean avarice, ignorance, and pride. You have an army in Africa, that perfectly knows the country, that has all the courage necessary, but that hitherto has not had good fortune. A great part of the troops are perished either by the avarice or temerity of their commanders. O you then, who are of age to bear arms, come and join your efforts with mine, and sustain with me the honour of the Commonwealth. Do not be discouraged by the example of past misfortunes, nor fear, that your Generals will treat you with pride and insolence. After I have given you orders, you shall see me, in marching, in battle, divide fatigue and danger with you. Except in point of command, I shall make no difference between you and myself. You may conceive, that with the assistance of the gods, victory, spoils, and glory wait for, and seem to invite, you. But though you had not all these advantages to hope, the interest only of the Commonwealth would suffice to induce good citizens, as you are, to defend it with valour. Cowardice never exempted any one from death. Never did father desire that his children should be immortal, but that they should become men of great honour and probity. I should say more on this head, Romans, if words could make cowards brave: for as to the valiant, I think I have said enough.

Plutarch gives reason to think, that many strokes of this speech are really Marius's: and the thing is not improbable in itself. At least it is

A. R. 645.
 Ant. C. 107.

certain, that his character is wonderfully sustained in it, his vanity as a soldier, his antipathy to the Nobility, and his contempt of polite learning. We shall see him throughout his life just what he appears here, a great warrior, but with nothing else to recommend him.

Marius sets out from Rome, and arrives in Africa.

He put himself into a condition to make good his promises by effects. He embarked with the utmost diligence the provisions, arms, military chest, and the other things necessary for the army. He at the same time made Aulus Manlius, one of his Lieutenants, set out. As to himself, in the mean time, he made haste to compleat the levies, without confining himself to the ancient custom, which admitted no citizens to serve in the legions, but those who had some estate; in order that the Commonwealth might thereby have some security for the zeal and fidelity of her soldiers. Marius accepted all that offered themselves indifferently, even the poorest, and those who had nothing at all. These dregs of the multitude were always extremely attached to him; and ambitious as he was, he conceived that with their aid he should form a considerable party at Rome. He put to sea, with a much greater body of troops than he had orders to raise, and arrived in a few days at Utica. Rutilius, the Lieutenant General, resigned the command of the army to him; for Metellus had industriously avoided seeing a successor, the sight of whom only would have been extremely mortifying to him.

Metellus is perfectly well received at Rome.

That General, on his arrival at Rome, expected to find every body highly disgusted with him; knowing how much his adversary, by his inveterate and calumnious harangues, had laboured to render him odious to the multitude. He was agree-

A triumph is granted him. ably deceived. The first heat of displeasure being over, he was very honourably received, not only by

by the Senate, but even by the People. A Tribune however opposed his triumph: and Metellus on that occasion made a speech to the People, of which Aulus Gellius has preserved us a passage entirely noble, and of the utmost elevation of sentiments. “ Romans, (a) said he, as it is a constant maxim, that it is more easy for good men to suffer, than to do, injury; this Tribune, who is for having you refuse me a triumph, does you more wrong than me. For I should suffer injustice, and you would do it: so that though I should have cause to complain, you would deserve to be blamed.” Metellus obtained a triumph, and assumed the surname of *Numidicus*, which perpetuated the remembrance of his exploits in the war of Numidia.

It is very probable, that it was also at this time that (b) being accused of extortion, he received a testimony in his favour from his judges more glorious than the triumph itself. For, when he produced the registers of his administration in his defence, not one of the judges would so much as cast an eye upon them, nor seem to doubt a moment, whether what Metellus advanced were true or not; declaring loudly, that to be assured of his innocence, there was no occasion for any other

Accused of extortion, his judges refuse to examine the journal of his administration.

(a) Quanto probi injuriam faciliùs accipiunt, quàm alteri tradunt, tanto ille vobis, quàm gratiam mihi, pejorem honorem habuit. Nam me injuriam ferre, vos facere vult, Quirites: ut hîc conquestio, istic vituperatio relinquatur. *A. Gell. xii. 9.*

minis causa, fuisse judicem ex illis Equitibus Romanis, gravissimis viris, neminem, quin removeret oculos, & se totum averteret, ne fortè, quod ille in tabulas publicas retulisset, dubitasse quisquam, verum-ne an falsum esset videretur. *Cic. pro Balbo. 11.*

(b) Audivi hoc de parente meo puer quum Q. Metellus causam de pecuniis repetundis diceret—quum ipsius tabulæ circumferrentur inspiciendi no-

Non in tabulis, sed in vita Q. Metelli argumenta sincerè administratæ provinciæ legenda sibi judicies crediderunt. *Vall. Max. ii. 10.*

A. R. 645.
Ant. C. 107.

proof than that of his whole life, and universally acknowledged integrity.

The Consul Marius, after having compleated his legions and the auxiliary troops, marched his army into a plentiful country: and distributed all the plunder he took in it amongst the soldiers. He attacked and took some towns and castles of little strength, and fought sometimes, or rather skirmished, in different places. By this means, the new-raised soldiers accustomed themselves to stand firm upon occasion. They saw, that those who fled, were either killed or taken: that the bravest have least to fear: that arms are the source of glory and riches, and the support of their country, their liberty, and all that is dearest amongst men. Thus, in a short time, there was no difference between the old and the new-raised troops.

Marius besieges and takes Capja, a place of importance.

Marius, after having disciplined his soldiers in this manner, and gained various advantages over the enemy. seeing himself in a condition to form some great enterprize, resolved to surprize Capsa. It was an important place, strong both by art and nature, defended by numerous inhabitants, and provided with munitions of every kind. The horror of the country in which it was situated, rendered the conquest of it still more difficult. Except the places around the city, the whole country was desert, uncultivated, barren sands, and infested with very venomous serpents. This situation seemed to render the access to Capsa impracticable to the enemy. But Marius justly thought, that would undoubtedly be the very thing, that would make them less upon their guard, as having nothing to fear. He therefore concealed his design with the utmost care, and in other respects took his measures with abundance of prudence. He began by carrying off all the cattle in the country, which he gave to the care of the auxiliary

auxiliary cavalry, with orders to drive them on with the troops. Every day part of these cattle were distributed to the army; and of their skins Marius caused leathern bags to be made. The sixth day he arrived on the banks of the * Tana. After a short stay he left all the baggage there, and loaded the carriage-horses only with the bags filled with water. Each soldier was also ordered to carry one. In this condition they moved forwards about sun-set. They marched all night, and halted in the day. The third night before day-break they arrived at a place abounding in valleys and small eminencies, which were only two miles distant from Capsa. Marius kept his troops as much concealed as possible between these little hills; and at day-break, many Numidians, who suspected no danger, having quitted the city, he made his horse, with the nimblest of his foot, advance on a sudden towards it to seize the gates. The inhabitants immediately surrendered; either through the amazement and terror occasioned by so unexpected an attack, or because they saw many of the people had been surprized without the walls, and had already fallen into the enemy's hands. The city was burnt. All the Numidians capable of bearing arms were put to the sword; the rest were sold, and the spoils were distributed amongst the soldiers. This rigour, says Sallust, was contrary to the laws of war. However, neither avarice, nor cruelty, induced Marius to commit it. He considered this place was of great advantage to Jugurtha: that the Romans could not approach it without great difficulty: that he had an inconstant and perfidious nation to deal with, which it was impossible to keep within bounds either by lenity or fear. Could all these

A. R. 645
Ant. C. 807

* Geographers don't mention this victory.

A. R. 645.
Ant. C. 107.

reasons suffice to justify a cruelty contrary to the law of nations, exercised upon inhabitants, who had surrendered without deceit? Was it not sufficient to demolish the place? But the motives of interest, in war, had long taken place of justice, and served instead of reasons.

So extraordinary a success did Marius great honour, and highly increased his reputation. His least prudent enterprizes were however attended with glory, because they passed for effects of his courage. The soldiers, charmed with the mildness with which they were commanded, and at the same time enriched with spoils, extolled their General to the skies. The Numidians dreaded him, as if there had been something in him more than human. In a word, both allies and enemies believed, that the gods directed and inspired him in all his undertakings.

After this happy event, he advanced towards other places: some of them he forced; many others he burnt, which the disaster of Capsa had induced to desert: and putting all to fire and sword, he filled the country of the enemy with desolation and horror. These conquests cost the Romans very few men.

*Marius besieges a
castle be-
lieved im-
pregnable.*

He formed another enterprize, the execution of which was very difficult. Not far from the river of Mulucha, which separated the kingdoms of Jugurtha and Bocchus, in the midst of a vast plain, was a mountain, or rather a rock of great circumference and prodigious height, upon the top of which stood a castle of moderate bigness, to which there was but one very narrow avenue; all the rest being nothing but precipices, as steep, as if they had not been the work of nature, but cut and levelled by human industry. The garrison wanted nothing: they had provisions in abundance, and a spring of water in the rock. Ju-
gurtha

gurtha had deposited his treasures in this fort. Marius was very desirous to make himself master of it. It was extremely difficult to carry on approaches, to cut the soil, and to make use of machines against it. When they had gone so far as to make the batteries advance with great pains and danger, the besieged either broke them to pieces with stones, or set them on fire, and reduced them to ashes. The soldiers could not stand fast at work, on account of the unevenness of the ground. The bravest of them were left upon the place either dead or wounded, and the rest lost courage.

Marius, after having spent many days ineffectually, and without advancing his works, was extremely perplexed, and did not know what to resolve. However, the extraordinary good fortune, which had attended him in all his enterprizes, supported him. He experienced it again here.

A Ligurian soldier gathering snails, which he saw in the clefts of the rocks, arrived insensibly almost at the top of the mountain. Curiosity, natural to man, induced him to advance still farther; and sometimes by the help of oaken branches, which fortunately grew there, and sometimes by the rocks that afforded most hold, he got up to the platform of the fort, and saw, that it was entirely abandoned; all the Numidians being posted on the side the besiegers attacked. The Ligurian immediately descended, and gave Marius an account of what he had seen. The Consul being assured of the truth by other soldiers, whom the Ligurian conducted to the same place, resolved to take the advantage of so lucky a discovery. He chose five of the most active trumpeters of the army. He detached four Centurions with their companies to support them, and commanded them to observe the Ligurian's orders.

A. R. 645.
 Ant. C. 107.
*He goes up
 again with
 a small de-
 tachment
 given him
 by Marius.*

The next day they set out, after having provided themselves with every thing necessary. The soldiers, by their guide's direction, left every thing behind that might retard them, took off their helmets to see the better, and bared their feet, to be the less exposed to sliding. Their swords were tied behind their backs, as well as their shields, which were of leather after the Numidian fashion, and consequently lighter, and not so apt to make a noise. The Ligurian went foremost, and when he found either points of rock, or roots of trees, that projected, he took care to make cords fast on them with running knots, which the soldiers might lay hold of in order to climb with less difficulty. He lent his hand from time to time to those whom so strange a way daunted. In the roughest parts of it, he made them go one by one before him, and disburthened them of their arms, which he carried after them himself. When a place seemed dangerous, he made the first trial of it. They saw him ascend and descend several times; and by that means he encouraged the whole troop under his direction. They arrived at last, after many fatigues and dangers, on the top of the mountain, which they found abandoned on that side; because the Numidians were all employed at the place which the Romans attacked.

*The de-
 tachment
 enters the
 fortress.
 The place
 is taken.*

Marius had harrassed the enemy all day. But when he was informed by couriers, that were dispatched to him directly, of what the Ligurian had done, he exhorted his troops anew, led them on to the attack in person, and commanded them to cover themselves with their bucklers, joined together. To terrify the enemy at distance as well as near, he ordered the archers, slingers and machines, to discharge all together. The Barbarians, who had succeeded several times in throwing down
 and

and burning the batteries of the besiegers, were full of confidence. Far from keeping behind their parapets, it was their custom to shew themselves day and night on the side of the walls, proudly insulting the Romans, reproaching Marius with the folly of his enterprise, and threatening the soldiers to make them speedily the slaves of Jugurtha.

A. R. 645.
Ant. C. 107.

Accordingly at this time seeing the besiegers redouble their efforts, they also redoubled their constancy and courage. But on a sudden, whilst this passed, they heard a great noise of trumpets behind them. The women and children, whom curiosity had brought upon the rampart, immediately fled: those who were nearest the danger soon followed them: and not long after all in general betook themselves to flight, as well the armed as the unarmed. The Romans seeing their disorder, pressed them with still greater vigour, bore down all before them, put all to the sword, and advanced continually fighting, without the desire of plunder's being capable of stopping a single man of them. Thus, Marius's temerity, corrected by a lucky effect of chance, made his fault redound to his honour.

L. Sylla the Quæstor arrived at this time in the camp with a great body of horse. Marius had left him at Rome in order to raise that cavalry in Latium, and amongst the Italian allies. This Quæstor is the famous Sylla, of whom so much will be said in the sequel. For this reason I think it necessary to make him well known. He was of the house of Cornelia, so productive of great men, and so abounding with honours. But the branch from which he descended, had fallen into obscurity. I have related elsewhere the cause of the fall of this branch, where I speak of the note of infamy, inflicted upon P. Cornelius Rufinus, who

Sylla arrives in the camp.
Birth and character of that famous Roman.

A. R. 645. who was the stem of it, and after have been twice
 Ant. C. 107. Consul and Dictator, was expelled the Senate by the Censors in the 477th year of Rome, for having above ten pounds of silver plate in his house. What is singular, this note of infamy in some measure extended to his descendants, none of whom attained the Consulship, though some of them had been Prætors. This decline in point of dignity was attended with indigence. Sylla inherited but a very small fortune from his father, and passed his youth in great straits. He was afterwards reproached with this by a man of sense and virtue, who hearing him boast very much of his exploits in Numidia, said to him : *And how can you be an honest man, you, whom your father left nothing, and are however so rich?* For, adds Plutarch, though manners in those days had not preserved their ancient severity, and were already much changed and corrupted by luxury, the person who speaks thus to Sylla (a) seems to consider as equally shameful, the squandering of a great patrimony, and not continuing in the poverty of one's ancestors. For the rest, if on the side of riches, Sylla's lot at first was hard, on that of great talents and genius, he had all that was necessary to reinstate the glory of his name. This is his picture, as Sallust has given it us.

Sylla (b) was carefully instructed in the Greek

(a) Ἐκ τῶν ἰσχυρῶν ἐπιδόξῃ ἐπιδόξῃ
 τὴν ἡγεμονίαν ἐν πορίαις ἀπολέ-
 σαυτας, καὶ τὴν πλείαν πατρῴαν
 διαφυλάσσοντας.

(b) Sulla literis Græcis atque Latinis juxta atque doctissimè eruditus, animo ingenti, cupidus voluptatum, gloriæ cupidior : otio luxurioso esse, tamen ab negotiis nunquam voluptas remorata—facundus, callidus, & amicitia faci-

lis : ad simulanda negotia altitudo ingenii incredibilis : multum rerum, & maximè pecuniæ largitor ; atque fœlicissimo omnium ante civilem victoriam nunquam super industriam fortuna fuit ; multique dubitare fortior an felicior esset. Nam quæ postea fecit incertum habeo pudeat an pigeat differere.

and

and Roman letters, and was perfectly master of both. He had a great heart, loved pleasure; but glory more. In times of leisure, he gave himself up to his taste for pleasures and diversions; however so as his affairs never suffered by it. He was eloquent, insinuating, an easy friend, and of incredible address in concealing and disguising his designs. He loved to give, and when his circumstances would admit of making presents, he gave of all kinds, but particularly money, with profusion. He was always fortunate, and even the most so of mankind, till the victory, by which he terminated the civil war; however, his merit was never below his fortune; and it has been doubted, whether it were more just to term him brave, or happy. But after that fatal epocha to his virtue, he was no longer the same man: and perhaps prosperity never produced either more sudden, or more violent, effects.

When Sylla arrived in Marius's camp, he was absolutely ignorant of the art of war: but he was not long before he made himself a perfect master of it. He made it his particular care amongst other things to gain the soldiers favour by his polite and obliging behaviour. He took pleasure in serving every body that desired it; and often anticipated requests. When he received any good office from others, which he shunned as much as possible, to avoid laying himself under obligations, he considered gratitude as a debt, which he was desirous to discharge on the first occasion. On the contrary, when he had done a favour, he required no return: and the more of this kind of debtors he had, the better he was pleased. He made himself familiar, whether in serious affairs, or at games and exercises, with persons of the lowest rank. As to military functions, works, marches, guards, he discharged them with ardour, and
was

A. R. 645.
A.D.C. 107.

was present every where. Far from censuring the Consul's conduct to gratify a mistaken ambition, his only care was not to be surpassed by any one in prudence and courage, and even to surpass every body if he could. Such fine qualities at first gained him the hearts both of the General and the troops: so that Sylla and Marius were friends for some time. But a good understanding could not long subsist between two men of their ambition. We shall soon see a declared enmity succeed their friendship.

*Bocchus
joins Ju-
gurtha
with his
troops.*

Jugurtha, in the mean time, reflecting upon the loss of his best towns, and the greatest part of his treasures, perceived, that he was not in a condition to support the war, and that it was absolutely necessary either to conquer in a pitched battle, or see him deprived of his whole kingdom. But Bocchus, without whose aid he could do nothing, was averse to this conduct. To make him come into it, he employed his usual arts, corrupting with presents of money those who had most ascendant over the King of Mauritania. On his side, he promised that Prince the third part of Numidia, if they should drive the Romans out of Africa; or if a peace should be concluded, that should not cost him any part of his dominions. These offers determined him.

*They at-
tack Ma-
rius, and
have some
advantage
at first.*

He joined Jugurtha with a great army; and at a time when Marius least expected it, and was upon a march retiring into his winter-quarters, they both attacked him almost at the last hour of the day. They purposely chose that time, because the darkness of the night might very much disconcert the enemy, to whom the country was unknown; whereas on their side, whether victorious or defeated, night was in their favour. The surprize at first caused some confusion amongst the Romans, who had not time either to form themselves

themselves in order of battle, or to take their usual stations; the infantry being mingled pell-mell in the midst of the horse. They lost abundance of men in this first attack, notwithstanding the great valour, with which they behaved. They were surrounded on all sides by the Numidians, whose number greatly exceeded theirs. However, the old soldiers, taught by long experience, and the new ones by their example forming different companies, as chance brought them together, drew themselves up in a circle, and fronting on all sides in close order and well covered, sustained the charge of the Barbarians with intrepid bravery.

Marius, in so warm an action, capable of disconcerting the most experienced Generals, retained all his coolness of temper. With the company of horse that never quitted his person, and which he had composed, not of those most nearly attached to himself, but of the most brave, he supported his troops; threw himself every moment into the thickest of the enemy; and not being able to make his voice be heard to give the necessary orders, he endeavoured to make himself understood by different signs with his hand.

The day was now passed, and the Barbarians did not cease fighting: on the contrary, conceiving that night gave them a great advantage over the enemy, they redoubled their ardour. Marius, intent upon securing his army a retreat, seized two hills at a small distance from each other, and by degrees drew off his troops thither, and intrenched there. The two Kings then, from the difficulty of following him upon those eminences, put an end to the battle. They however did not remove their armies, but made them continue at the bottom of the hills, which their numbers enabled them to surround.

A. R. 645.
Ant. C. 107.

The Barbarians, drunk in a manner with their prosperity and success in the battle, passed a great part of the night in dancing and rejoicing, raising great cries according to their custom. Marius, who attentively observed all that passed amongst the enemy, commanded his army to keep a profound silence, and for that purpose, ordered the different signals, usually made by the trumpets for the watches of the night, not to be sounded. But as soon as day approached, he commanded the trumpets to sound the charge all together, and the troops to march out of their intrenchments with great cries on all sides. The Mauritanians and Getuli, fatigued with their nocturnal exercises, had hardly began to sleep. In consequence, awakened suddenly by this terrible noise, they could neither take to their arms, escape by flight, nor determine upon any thing salutary. Seeing themselves pressed by the enemy, without any body to encourage and draw them up, the tumult, surprise and terror in a manner stupified, and put them out of their senses. They were entirely dispersed, and abandoned most of their ensigns and arms; a greater slaughter was made of them in this battle, than in all the rest; drowsiness and fear having deprived them of the means of escaping.

*Caution
of Marius
in march-
ing.*

Marius, after his victory, continued his march, to take up his winter quarters in the maritime cities. The great advantage he had lately gained, had made him neither less circumspect, nor more presumptuous. He marched with as much caution, as if the enemy had been always in view. After having given the officers all the necessary orders, he however acted with as much care, as if he had no-body to second him. He was seen on all sides, and praised and reproached every one as they deserved. He was no less vigilant in the camp

camp than upon the march. (a) He went the rounds himself, not through any distrust, that his orders were not obeyed, but to make the soldiers love fatigue, by shewing them, that their General shared in it with them. And indeed Marius, during this whole war, kept up the discipline rather by the sense of honour and emulation, than by chastisement and severity. And this method succeeded. The Commonwealth was as well served under his mild and indulgent command, as if he had treated his soldiers with more rigour.

After a march of four days, the Romans arrived near Cirta. Jugurtha and Bocchus came thither to attack them again, having taken their measures to do so in four different places at the same time. But Marius was upon his guard against all surprizes, and the Numidians and Moors were entirely defeated. Sylla distinguished himself in this battle. Jugurtha did wonders in it: and having killed an enemy with his own hand, he even went up to a considerable body of Roman infantry, and shewed them his bloody sword; crying out to them, that they fought in vain; and that he had just killed Marius. This lie was very near spreading terror and disorder amongst the Romans. But Sylla, and Marius himself, coming up to reanimate them, Jugurtha, after having exhausted all the resources of his address and courage, and fought tenaciously, till he remained almost alone, escaped with great difficulty.

This second defeat discouraged Bocchus, and made him think of separating his interests from those of Jugurtha. He accordingly let Marius

(a) Ipse circuire, non tam diffidentia—quàm uti militibus exæquatus cum imperatore labos volentibus esset. Marius—pudore magis quam ma-

lo exercitum coercebat—Nisi tamen reipublica pariter, ac severissimo imperio, bene atque decore gesta.

A. R. 645.
Ant. C. 107.

Another battle, in which the Romans are again victorious.

Bocchus sends Deputies to Marius, and offers rewards to Rome.

A. R. 645.
Ant. C. 107.

know, that he desired an accommodation, and that he would send two persons of trust, with whom he might enter into a conference. Sylla and Manlius were charged with this commission. Sylla was eloquent, as we have said, which advantage gained him the honour of being speaker upon this occasion. “He expressed to the King the joy he conceived, that the gods had at length opened his eyes, by inspiring him with the resolution of preferring peace to war. He represented to him, that the alliance of a Prince, whose crimes were so great as Jugurtha’s, was unworthy of him: That on the contrary, that of the Romans was equally honourable and advantageous. He gave him to understand, that he had in his hands the means of purchasing it; and concluded with saying, that as the Roman People knew how to repel injuries, they also knew how to reward services; and that they never suffered themselves to be outdone in generosity and gratitude.” Bocchus, on his side, to justify his conduct, complained, that he had been refused at Rome the alliance, which he had demanded by his Ambassadors: he offered however to send others thither, if Marius approved it. Accordingly, some time after, he chose five out of those, in whom he reposed most confidence, and made them set out with full powers to conclude a peace at any price whatsoever.

These Ambassadors were met by Getulian robbers, who stript them of every thing, and treated them with great cruelty. They accordingly came to Sylla in a very bad equipage, who commanded in the absence of Marius, who was then employed in attacking a fort in desert and remote places. Sylla, who was naturally generous and magnificent, instead of despising the Mauritanian Ambassadors in the sad condition wherein they joined

joined him, gave them a very good reception, and treated them splendidly during forty days, till the General returned. By this means he gained their confidence, and by them that of their master, of which he made such great advantage in the sequel. When Marius arrived, the Mauritians, directed by Sylla's advice, demanded a suspension of arms, and permission to go to Rome. Their demands were granted: and immediately two of them returned to Bocchus, to give him an account of their negotiation, and the other three set out for Rome.

A. R. 645.
Ant. C. 107.

When they arrived there, they applied to the Senate, and, according to their instructions, said, that Bocchus had been surprized by the artifices of Jugurtha; that he repented of his fault; and that he asked the alliance and amity of the Romans. They were answered in these terms: *(a) The Senate and People of Rome forget neither services nor injuries. As Bocchus repents his fault, they grant him pardon. As to their alliance and amity, he will obtain them, when he shall have deserved them.* What a stile, what haughtiness, is this! Could we believe, that it is to a powerful King this answer is addressed?

The new Consuls were undoubtedly in office, when this passed.

C. ATILIUS SERVANUS.

Q. SERVILIUS CÆPIO.

A. R. 646.
Ant. C. 106.

This year is famous for the birth of Cicero, and that of Pompey.

When Bocchus had received the Senate's answer, Marius, at he wrote to Marius, who had been continued in *the request of Bocchus,*

(a) S. P. Q. R. beneficii & nitet, dilecti gratiam facit. sends Sylla to him.
injuriae memor esse solet. Cæ- Fœdus & amicitia dabitur,
terum Boccho, quoniam pec- quum meruerit.

A. R. 646.
 ANT. C. 106.

command, to desire him to send Sylla to him, in order to their conferring together. Marius made him set out with an escort of a small body of horse and foot, with some light-armed troops. He had several subjects for disquiet in his march, at first through the unexpected meeting of Volux the son of Bocchus, who appeared with a thousand horse; and, soon after of Jugurtha himself. Sylla believed himself betrayed by Volux, when he saw the King of Numidia with forces considerably superior to his own so near him. He however was neither discouraged, nor conceived thoughts of revenging himself upon the Moorish Prince: and this proved well for him. Volux acted with fidelity: and they passed together quite through Jugurtha's camp, without the latter daring to attack the Romans, whom he saw escorted by the son of him, in whom all his hopes were placed. Sylla, in consequence, arrived in safety at the court of Bocchus.

*After much
 Evacuation
 Bocchus de-
 livers up
 Jugurtha
 to Sylla.*

In the secret conference they had together, the King of Mauritania at first, in order to deserve the alliance of the Roman people, seemed to confine himself to the offer he had made, to intermeddle no farther in Jugurtha's affairs, and not to aid him with either troops or money. Sylla gave him to understand, "that the Romans
 " would not be satisfied with that kind of neutra-
 " lity. That to obtain their amity, it was neces-
 " sary to do them an effectual service: that he
 " had the power in his own hands, and that to
 " deliver up Jugurtha was at his discretion. That
 " in that case the Romans would have an obli-
 " gation to him; that their alliance and amity
 " would be assured effects of it; and that they
 " would add to his dominions the part of Nu-
 " midia, to which he pretended to have a right."
 Bocchus expressed great repugnance to this pro-
 posal.

posal. Whether he was really shocked at it, or to preserve some outside of probity, which the most wicked do not avowedly renounce; or lastly, to sell his crime the dearer, he represented, “ that
 “ there was an alliance subsisting between him and
 “ Jugurtha, as well as a very near affinity both
 “ by birth and marriage: and that if he should
 “ break his faith with him, he should risque alienating the affection of his own subjects, who
 “ hated the Romans, and loved Jugurtha very
 “ much.” Sylla was not discouraged by this refusal, and renewed the attack so often, that he at length extorted a promise from him, to do what was necessary for deserving the amity of the Romans.

Whether Bocchus made this promise sincerely, and with a resolution to keep it, is matter of great doubt. For at the same time he was actually treating with Jugurtha, at whose court he had an Ambassador. He even promised to deliver up Sylla to him, upon the Numidian’s having remonstrated, that That was the only means to bring the Roman Senate into a good peace, which would never leave an illustrious person long in chains, that had incurred them by exposing himself for the service of the Commonwealth. Thus did this Barbarian engage himself in a double treachery, giving good words both to Sylla and Jugurtha’s Ambassadors; promising the Roman to deliver up the Numidian, and the Numidian to deliver up the Roman. A conference was accordingly agreed upon, under pretext of treating of peace; but neither Sylla nor Jugurtha came to it, because each was assured, that his enemy was upon the point of being delivered up to him.

The night before the day fixed for the interview, Bocchus was in a strange perplexity. The

A. R. 646.
Ant. C. 106.

nearer the moment for deciding approached, the more his uncertainties increased. His inclination was for favouring Jugurtha ; but fear reduced him to espouse the Romans. The agitation of his mind appeared in his countenance. His actions, his air, his whole deportment, which changed every moment, spoke the different sentiments he felt within. At length fear, the all-powerful motive of little abject souls, prevailed. He sent for Sylla, and concerted measures with him for seizing the Numidian. The conference was held ; and Jugurtha being come to it without arms, and with little or no guard, persons placed in ambuscade, killed all that attended him, seized himself, loaded him with chains, and in that condition put him into Sylla's hands, who immediately carried him to Marius.

Thus ended the war in a manner wholly for the honour of Sylla, if there can be honour in conquering by the perfidy of another. However it were, Marius, in just return for having deprived Metellus of the glory of completing the conquest, was himself deprived of that of the last act, that determined it.

*Sylla as-
cribes the
glory of
this event
to himself
with so
much
pride.
Plut. in
Marius &
Sylla.*

This adventure was the more affecting to him, as Sylla openly triumphed upon it without any reserve. He acted on this occasion, says (a) Plutarch, like a young man immoderately greedy of, and flushed with, glory, of which he now first began to taste the charms. Instead of ascribing the honour of this event to his General, as he was obliged to do by his duty, and as he ought to have made an inviolable rule, he assumed the greatest part of it to himself, and had a ring made, which he always wore, and used as a seal, on which he

(a) Οὐκ ἔστι φιλότιμος, ἀλλ' ἐξ ἡλικίας γιγνόμενος, ἐκ ἡμετέρας μετρίως τὸ ἱστῆμα. *Plut. præcepta vitæ ger. p. 305.*

was represented, receiving Jugurtha from the hands of Bocchus. Marius, stung to the heart by this kind of insult, never forgave it. And this was the origin of that implacable hatred, which afterwards broke out between those two Romans, and which cost the Commonwealth so much blood.

A. R. 646.
Ant. C. 106.

P. RUTILIUS RUFUS.
Cn. MALLIUS MAXIMUS.

A. R. 647.
Ant. C. 105.

Marius passed the greatest part of this year still in Africa, no doubt employed in regulating his new conquest. It is not easy to say exactly what those regulations were. But Numidia was not then reduced into a Roman province, and we shall again see Kings of Masinissa's race rise up.

Marius was still in Africa, when he received news, that he was elected Consul for the second time. The extreme danger of Italy, which was threatened with an invasion by the Cimbri, after the bloody defeat of Cæpio and Mallius in Gaul, had made it necessary to break through all rules and party interests, to reinstate a person in office at the end of three years, who had found so much difficulty to attain the Consulship for the first time, but who was then considered as the sole resource of the Commonwealth.

He therefore immediately returned to Italy, and entered Rome in triumph on the first day he entered upon office, that is, on the first of January; exhibiting a sight to the Romans, which they could scarce believe, even when they saw it, Jugurtha, a captive and in chains: that formidable enemy, during whose life they could not so much as flatter themselves, that they should see an end of the war; so united in him was valour with arts and stratagems, and so fertile was his genius

Marius's triumph.
Miserable end of Jugurtha.

A. R. 647. in resources, even in the midst of the most desperate
 Ant. C. 105. misfortunes. His two sons followed him in this mournful ceremony. It is said, that in the procession, he appeared like a man out of his senses. He was thrown into a dungeon, where the goalers, in their haste to strip him of his spoils, tore his robe to pieces, and pulled off the tips of his ears for the sake of the pendants he wore in them. He passed six whole days in that horrid prison, struggling with famine, and retaining to the last moment an ardent desire to live: a fit end, adds Plutarch, a due reward for his atrocious crime. It is of good example, that such vile wretches as he, do not escape the divine vengeance even in this life.

Plot. in
 Mario.

Marius, either through absence of mind, or haughtiness, entered the Senate, after the ceremony, in his robe of triumph, which was without example. He perceived, that the whole presence was surprized and shocked at that innovation. He quitted the hall that instant, and returned in the usual habit, that is, the robe bordered with purple.

Plin.

xxviii. 1.

He however had still on a single iron ring; it was not till his third Consulship, that he assumed a gold one.

DETACHED FACTS.

A. R. 647.
 C. Gracchus p.
 Scipio 21.

Before * I proceed to relate the war with the Cimbri, I shall give some facts a place here, which have little connexion with the history in general, and however deserve not to be omitted.

Scaurus in his Censorship, which was during the Consulship of Metellus Numidicus and Silanus, furnished a new proof of his obstinate and untractable disposition. For his Colleague M. Drusus

* This article of detached facts is the Editor's.

being

being dead, he pretended, contrary to invariable custom, to continue in office, though in the like case the surviving Censor was obliged to abdicate. But the Tribunes of the People, by threatening to put him in prison, compelled him to submit.

His Censorship, though abridged in this manner, was however famous for works, that do him honour. He made a great highway, which began at Pisa, and extended across part of Liguria. The building also, or at least the rebuilding, of the bridge Mulvius, now called *Ponte Mola*, over the Tiber, at a small distance from Rome, is ascribed to him.

The same times almost give us two examples of the excesses, into which vice sometimes hurries young persons, even of illustrious birth, and of the misfortunes that attend him. The son of Fabius Servilianus, having abandoned himself to the most infamous course of life, his father first banished him into the country, and then caused him to be put to death by two slaves, whom he made free, in order to exempt them from enquiries. He * was however prosecuted on that account, and banished to Nocera in Campania.

The second example is of another Fabius, who having imitated the irregular conduct of his father Fabius Allobrogicus in his youth, did not follow his example in his amendment. He carried the excesses of debauchery and extravagance to such an height, that the Prætor was forced to interdict him, and appoint him a keeper. Thus the State supplied what paternal authority ought to

* Romulus had given to fathers power of life and death over their children. But it however appears from this example and some others, that the excessive rigour of fathers was subject to the enquiries of the laws and magistrates.

have done ; and the person (*a*) whom the too great indulgence of his father had constituted heir of his fortunes, the severity of the magistrate disinherited.

The exact date of these two facts is not certain, but cannot be far from the times, of which we have now been speaking.

*Singular
character
of T. Al-
bucius.*

I shall give two trials a place here, that are at least memorable in respect to the persons they concern. The first regards one T. Albucius, a singular man, and one who proves, that if learning adorns and improves solid geniusses, it only hurts little minds, or weak heads. This Albucius was *Greek-mad*, so much as almost to renounce his mother tongue, and chose rather to pass, as the poet Lucilius reproaches him, for a Greek than a (*b*) Roman. The same poet relates on what occasion he was very agreeably turned into ridicule upon this caprice. * Scævola, on his way to his government of Asia, passed through Athens. Albucius, who was in that city, coming to pay his respects to him, Scævola saluted him in Greek : at the same time his whole train, all his officers, even to the Lictors, did the same, so that Albucius heard nothing around him but the word *Xzĩpĩ* (*save you*) repeated by all that were

(*a*) Quem nimia patris indulgentia hæredem reliquerat, severitas publica exhæredavit. *Val. Max. iii. 4.*

(*b*) Græcum te (*Scævola speaks*) Albuci, quàm Romanum atque Sabinum

Maluisti dici. Græcè ergo prætor Athenis,

Id quod maluisti, te, quum add me accedi', saluto.

Xzĩpĩ, inquam, Tite : lictores, turma omni', cohortisque,

Xzĩpĩ Tite. Hinc hostis mi Albucius, hinc inimicus.

Lucil. apud Cic. l. de Fin. 9.

* This is Scævola the Augur, Lælius's son-in-law, who is one of the speakers in the dialogue de Amicitia, and book I. de Oratore.

present. This jest stung him sensibly ; and as all the philosophy he had studied in the Greek books, had taught him neither more moderation, nor made him a greater master of his temper, he conceived so much resentment upon the occasion, that he resolved to be revenged. When Scævola returned to Rome, he accused him of extortion. But the probity of that irreproachable person easily refuted this accusation, which turned only to the confusion of its author.

He was not so fortunate himself, when he was *His vanity* in the like case. Albucius was Prætor about^{ty} the 647th or 648th year of Rome, and being sent into Sardinia, he gave chase to some wretched bands of robbers. After which, with as much pride, as if he had gained some important victory, he exhibited in his province the ceremony of a kind of triumph. At the same time he wrote to the Senate to demand, that publick thanksgivings should be decreed at Rome for the advantages he had gained over the people of Sardinia. Till then there had been no example of refusing a General the like request. But besides that, the exploits of this person little deserved such an honour, the vanity, with which he had crowned himself with his own hands, drew upon him a disgrace, wick nobody had experienced before him. He was rejected ; and that was not all. On quitting his province, he was accused of extortion by the people of Sardinia. He had evidently not learnt in the school of Epicurus, whose opinions he followed, highly to respect virtue, and to prefer his duty to his interest. He was condemned in consequence, and banished to Athens. A little adversity does some people much good. Albucius was of this number. He bore his banishment more honourably, than good fortune. He consoled himself with philosophy, sometimes also
amusing

amusing his time in composing satyrs after the manner of Lucilius.

Scaurus accused before the people, and acquitted not without great difficulty.
Aic. Ped. in Orat. pro M. Scauro.

About the same time Scaurus, Prince of the Senate, who had been Consul and Censor, was accused before the people by Cn. Domitius, who was Tribune during the third Consulship of Marius. The matter in question was a very great crime; but mentioned only in indefinite terms by the single author that speaks of it. Domitius accused Scaurus of a kind of profanation of certain sacrifices of the Roman people, and in particular of those celebrated in honour of the *Dii Penates* [household gods] of Troy, brought, as was said, into Italy by Æneas. The accuser was very warm: for he had cause of personal enmity to Scaurus, who had prevented him from being chosen to succeed his father in the office of Augur. However, he had generosity enough to refuse the secret memoirs, one of Scaurus's slaves brought him against his master. He conceived horror both for the traitor and the treason, and sent that wretch back to his master. We have seen a like circumstance of the orator L. Crassus in respect to Carbo. And these two examples give Valerius Maximus occasion to cry out: "How (a) must justice have been observed in those days between friends, when it took place to so great a degree between accusers and the accused!" Scaurus was acquitted, but not without great difficulty. Of the thirty-five Tribes three condemned him: and even of those who favoured him, the number of the suffrages for acquitting him did not much exceed those against him.

(a) Quo pacto igitur inter amicos viguisse tunc justitiam credimus, quum inter accusatores quoque & reos tantum virium obtinuisse videamus! *Val. Max. iv. 4.*

Domitius

Domitius not being able to revenge himself on Scaurus, attacked the whole body of the publick Priests of Rome, whom he deprived of a very fine privilege. The publick Priests, that is, the Augurs and Pontiffs, were in possession of a right to fill up the vacancies in their colleges by co-optation. The irritated Tribune caused a law to pass, which transferred that right of election to the people. But as respect for religion did not permit, that the people should confer the title, Domitius regulated that according to the custom already established in respect to the Pontifex Maximus. The least half of the people were assembled, that is, seventeen tribes only, drawn by lot: and the person who had the plurality of suffrages in this assembly of seventeen tribes, was chosen by the Pontiffs. The Tribune caused it to be decreed, that the same thing should be done in respect to all the other places of Pontiff and Augur. He was well rewarded for his trouble. For soon after he was elected Pontifex Maximus himself.

The Tribune Domitius transfers the election of Pontiffs and Augurs to the people.

Cic. ii. in Rullum, n. 18.

 BOOK THE THIRTIETH.

 THE
 ROMAN HISTORY.

THIS book, to begin at the Consulship of Rutilius, contains the space of fourteen years, from the 647th to the 660th year of Rome. It contains principally the war with the Cimbri, the second revolt of the slaves in Sicily, the sedition of Saturnius, the banishment and recal of Metellus Numidicus, and several memorable trials.

S E C T. I.

Of the Cimbri and Teutones, German nations. Incursions of those nations into different countries. They are attacked in Noricum by the Consul Carbo, and defeat him. They move into the country of the Helvetii. The Tigurini and Tugeni join them. They beat the Consul Silanus in Gaul. The Tigurini gain a great victory over the Consul L. Cassius. The Consul Cæpio plunders the gold of Toulouse. Cn. Mallius, a man of no merit, is made Consul, and sent into Gaul to support Cæpio. Dissention between Cæpio and Mallius. Aurelius Scaurus defeated and taken by the Cimbri.
 Terrible

Terrible defeat of the Roman armies. The Cimbri resolve to march to Rome. Alarm and consternation of the Romans. Rutilius exercises and disciplines the troops perfectly. Marius is elected Consul for the second time. The Cimbri set out towards Spain. The marching of the Cimbri into Spain leaves Marius time to form his troops. Generous action of Marius. He digs a new canal for the Rhone. He is elected Consul for the third time. Sylla persuades the Marfi to enter into an alliance with the Romans. The Cimbri are defeated in Spain. Marius is elected Consul for the fourth time. The Cimbri and Teutones separate, and the Consuls also. Marius declines fighting with the Teutones. Martha, a Syrian woman, given out by Marius for a prophetess. Marius refuses a single combat. The Teutones continue their march, and advance towards the Alps. They are entirely defeated by Marius near the city of Aix. The Roman army presents Marius with the spoils, who causes them to be sold at a very low price. Marius, whilst employed at a sacrifice, receives advice that he is elected Consul for the fifth time. The Cimbri enter Italy. They force the pass of the Adige. Marius joins his army with that of Catulus. Battle fought near Vercellæ. The Cimbri are entirely defeated. The news of this victory occasions incredible joy at Rome. Marius triumphs jointly with Catulus. Misfortune of Cæpio. He makes himself agreeable to the Senate by a law, which restores the administration of justice in part to that order. He is divested of command, and his estate is confiscated. He is afterwards excluded the Senate. He is again condemned by the People for plundering the gold of Toulouse. Consequences of that sentence.

*The Cim-
bri and
Teutones,
Germanick
nations.*

THE * Cimbri and Teutones, who made the Romans suffer the bloodiest defeats, and before whom Rome trembled at the time of its greatest power, were a people, that came from the north of Germany, and the coasts of the Baltick sea. I do not enter into the antiquity of these people, which is foreign to my subject. It suffices to observe, that from the earliest times it had been the custom of the Celtick and Germanick nations, to transplant themselves with their wives and children, and to go in quest of settlements in remote countries. Europe and Asia were full of their colonies. The northern nations were always the terror of the southern.

*Inursions
of those
nations
through
different
countries.*

Those of whom we speak having advanced at first towards *Eckemia*, were repulsed by the Boii, inhabitants of the country, who still retain that name†. They afterwards approached the Danube, which they passed, and went on as far as the country of the Scordisci, who are placed upon the banks of the Save. From thence turning westward, they entered the country of the Tauristæ or Taurisci, which answers to that we now call Stiria. All the nations, through which we have just traced the route of the Cimbri and Teutones, were Gauls by origin. It does not appear, that they either could, or would, fix in any of these regions. Therefore continuing their march, they entered Noricum, where they made their usual ravages: and it was here they first found themselves embroiled with the Romans.

* The beginning of this word, as we see, is a part of *Eckemia*, is the same.

† From the name Boii, Boiohenan was formed, which we call Bohemia.

This

This country, which contains very near what ^{*They are*} we now underſtand by the names of the *Upper* ^{*attacked in*} *Austria*, and the *Circle of Bavaria*, placed the ^{*Noricum by*} Cimbri at too ſmall a diſtance from Italy, not to ^{*the Conſul*} give the Romans jealousy. The Conſul Cn. Pa- ^{*Carbo,*} ^{*and defeat*} ^{*him.*} ^{*A. R. 639.*} *pirius Carbo* poſted himſelf in the paſſes of the Alps to intercept them. But perceiving, that the Barbarians ſeemed to have quite different deſigns, he became bolder, and ſent Deputies to aſk with menaces, why they ravaged the territory of the Norici, who were the friends of the Romans. There was however no treaty ſubſiſting, by which the Romans were obliged to take upon them the defence of that people. The Cimbri appointed Ambaſſadors to carry back their answer, which was conceived in very moderate terms. They proteſted, “ that they reſpected the Roman name: “ That they would not attack any nation in alli- “ ance with Rome: That they were going to “ quit Noricum, and ſeek a ſettlement in coun- “ tries, about which the Romans would have no “ reaſon to concern themſelves.” The Conſul probably taking that for fear which proceeded from the moderation of theſe Barbarians, who were more equitable than himſelf, believed it highly prudent to endeavour to ſurprize them. He gave their Ambaſſadors guides, who conducted them much round about, and marching his army by ſhorter ways, he advanced againſt the Cimbri, whom he found incamped near Norcia, a city which Freinſhemius believes to be *Goricum* in *Corinthia*. His ſtratagem proved unſucceſſful. The Barbarians, though ſurprized and attacked in the night, found refuge in their courage. The Conſul was repulſed with loſs; and if a great rain had not put an end to the battle, the Roman army would have been entirely cut in pieces. The victors did not take any advantage of their ſuc-
VOL. IX. Q ceſs;

cess; and, for what reason cannot be said, turned towards Gaul and the Helvetii.

They enter the country of the Helvetii. The Tigurini and Tugenii join them. The latter, now *the Swiss*, far different then from what they are in these days, were very rich, according to Strabo, and had great quantities of gold. But as they saw their new guests were become richer than themselves by the plunder of so many countries, they liked the trade, particularly the Tigurini, (the people of *Zurich*) and the Tugenii, (those of *Zug*.) The natives of those two cantons joined the Cimbri: but it is hard to fix the date of this junction, which might perhaps not have taken place, till some years after the defeat of Carbo, as we shall soon say.

A.R. 643. The defeat of the Consul Silanus in Gaul. We lose sight of the Cimbri for three or four years, at the end of which they appear again in Gaul, demanding lands of the Consul Silanus to settle in; and on that condition, offering to serve the Romans in war. They were far from accepting those offers. The Cimbri therefore resolved to obtain that by force, which had been refused to their request. They attacked the Consul, and gained a second victory over the Romans.

A.R. 645. The Tigurini gain a great victory over the Consul L. Cassius. Two years after the Tigurni crossed the country of the Allobroges, in order to join the Cimbri, and defeated another Roman army, commanded by the Consul L. Cassius. That Consul fell in the battle himself, with L. Piso, his Lieutenant, a person of Consular dignity. The other Lieutenant, whose name was C. Popillius, could not save the remains of this unfortunate army but at the expence of its honour. Their lives were granted them only, upon condition of passing under the yoke, and leaving all their baggage at the discretion of the enemy. Popillius, at his return to Rome, was accused before the people, and prevented an inevitable condemnation by banishing himself.

So many repeated defeats were only the prelude of one more horrid and bloody, which the Romans ſoon ſuſtained from the ſame enemy, and of which a more particular account is come down to us in the ancient monuments.

The principal author of the dreadful diſaſter I am going to relate, was Servilius Cæpio, a raſh, arrogant man, and of ſuch avidity, that to enrich himſelf, peculation and ſacrilege were nothing with him. Being Conſul the year after the defeat of L. Caſſius, and going into Gaul againſt the Cimbri, he ſignalized the beginning of his military expeditions by plundering *the gold of Toulouſe*, a place ſo famous in the ancient world. The inhabitants of that city, who were before the allies of the Romans, having been drawn into a revolt by the promiſes of the Cimbri, ſurprized and laid the Roman garrifon in chains. Cæpio marched againſt them, and with the aſſiſtance of intelligence in the place, entered Toulouſe, and abandoned it to be plundered by the ſoldiers. Nothing was ſpared: all things ſacred and profane were the prey of the troops. But the moſt extraordinary part of the booty was an immense weight of gold taken out of the temples, and a lake near the place, which is ſaid to amount to at leaſt the value of fifteen thouſand talents, or about two millions two hundred and fifty thouſand pounds ſterling.

This gold, authors ſay, was originally taken out of the temple of Delphi, and brought from thence to their own country by the Teſtoſages, who accompanied Brennus in that expedition. But the moſt judicious writers conſider this tradition as a fable. According to them, the Gauls being very rich, little addicted to luxury, and extremely ſuperſtitious, conſecrated treaſures to their gods, and often depoſited them in lakes and marſhes,

A.R. 645.
The Conſul
Cæpio
plunders
the gold of
Toulouſe.

Posidon.
apud
Strab. l. iv.
p. 188.

into which they threw their gold and silver in ingots. And when the Romans became masters of the country, on selling or letting these lakes to particulars, it frequently happened that those who bought or farmed them, found golden bars in them.

Cæpio, when possessed of so rich a prey, converted the greatest part of it to his own use. Very little of it was brought into the public treasury of Rome. And Orosius even tells us, that the Consul having first sent away these treasures under a guard to Marseilles, secretly caused that guard to be assassinated on their way, and in that manner seized the whole. He was severely punished, as we shall see in the sequel, for his horrid avarice. His whole future life was one continued series of misfortunes: and all those who had shared in the sacrilege came to such miserable ends, that to express a man supremely unfortunate, it became a proverb to say, *he had shared in the gold of Toulouse*.

It had been a part of wisdom in the Romans to have recalled such a General after the expiration of his year, and to make choice, against such formidable enemies, of Consuls capable of opposing them. Regard was had neither to the one nor the other of those objects, at once so important and so simple. Cæpio was continued in the command in Gaul: and as to the election of the Consuls, the caprice of the multitude decided it. Amongst others, two candidates, who merited the whole esteem and confidence of the Roman People, offered themselves; these were Rutilius and Catulus. Rutilius was the most virtuous citizen of Rome, and after having served under Scipio Africanus at the siege of Numantia in his youth, he had formed himself entirely in the art military under Metellus Numidicus, whose Lieutenant

Oros. v.
15.

Aul. Gell.
iii. 9.

Cn. Mal-
lius, a man
of no me-
rit, is
chosen Con-
sul, and
sent into
Gaul to
support
Cæpio.

tenant-General he had been with Marius. Catulus was infinitely deserving in every respect, and we shall see him in the sequel share the glory of the last victory over the Cimbri with Marius. Rutilius was actually elected Consul; but a person was preferred to Catulus, whom Cicero describes in four words, that he was not only (a) of mean birth, but had neither merit, genius, nor morals. His name was Cn. Mallius. And as if chance had been of intelligence with the caprice of the multitude, of the two provinces allotted to the Consuls, the one in Italy, the other in Gaul, Rutilius had the first; and the second, which related to the Cimbri, fell to Mallius, who was accordingly sent into Gaul with a new army to support Cæpio. Thus of the two armies sent by the Romans against the Cimbri, the one had a rash man at its head, and the other one of no capacity. And, to compleat the misfortune, discord arose between them.

P. RUTILIUS.

Cn. MALLIUS.

A. R. 647.
Ant. C. 105.

Never had union between Generals been more *Dissensio* necessary than in the present conjuncture of the *between* Roman affairs: but never were Generals so ill- *Cæpio & Mallius.* suited to them. Cæpio was proud and contemptuous: and Mallius was unfortunately too worthy of contempt. He was however Consul in office, and in that quality had a right to take place. But the Proconsul regarding only the unworthiness of the person, and not the authority of his office, would do nothing in concert with him. He pretended, that his was a separate province, and placed the Rhone between him and the Consul.

(a) Non solum ignobilem, verum sine virtute, sine ingenio, vitâ etiam contemptâ & sordidâ. *Cic. pro Planç. n. 12.*

A. R. 647.
 Ant. C. 105.
Aurelius
Scaurus
defeated
and taken
by the
Cimbri.

This was the worst conduct he could have chosen: and he had soon reason to be convinced of it. M. Aurelius Scaurus, a person of Consular dignity, and one of the Consul's Lieutenants, was defeated by the Barbarians, with a considerable detachment, which he commanded, and remained prisoner in the hands of the victors. Immediately after this blow, the Consul sent to desire Cæpio to join him as soon as possible with his army. The latter brutally answered, that each of them ought to keep within his own province for the defence of it. But soon after, fear lest the Consul should have all the glory of the victory, which he considered as certain, induced him to change his opinion. He therefore approached the Consul, but did not incamp in the same place, and had no communication with him. He placed his camp between the army of Mallius, and that of the Cimbri, in order to be ready to attack the enemy first, and not to divide with any one the glory of their defeat.

When the Cimbri were apprized of the junction of the two Roman armies, supposing it the effect of a reconciliation, for they had been informed of the discord that prevailed between the Generals, they sent Deputies to the Romans to treat of peace. Cæpio, into whose camp they first entered, seeing that it was not to him, but to the Consul, they had orders to address themselves, conceived a mean and ridiculous jealousy of it; and far from giving them pacifick language, was very near ordering them to be put to death.

This violent manner of treating the Deputies, was extremely condemned in his camp. What fatal consequences the dissension of the Generals might have, were perceived; and it was apprehended, that it might occasion the entire destruction of the two armies. Such strong remon-
 strances

strances were made in consequence to Cæpio, that he repaired, in a manner through force and against his will, to the Consul's camp. The council of war was assembled, to deliberate upon the measures it was proper to take. Nothing was concluded in it. The whole time passed, on both sides, in disputes, reproaches, and gross affronts. The two Generals parted more embroiled than ever.

So wretched a conduct had the deserved issue, *Horrid defeat of the* and drew upon the Romans the most horrible defeat they had ever sustained. No particulars of this bloody action are come down to us. We even do not know exactly the place where it happened; which we may however conjecture not to have been far from Orange. We are only told by some abridgers, that the slaughter was dreadful, and almost incredible. The two armies were entirely cut to pieces, and both camps were taken. The number of the slain is said to have amounted to fourscore thousand soldiers, as well Romans as allies, in which are included two sons of the Consul, and forty thousand servants and followers of the army. Some affirm, that only ten persons escaped to carry the news of the slaughter. The Cimbri before the battle had made a vow, which was common enough in those days with the Gauls and Germans, to sacrifice to the gods, and to destroy, all that should fall into their hands. They punctually performed this barbarous vow. The gold and silver were cast into the Rhone; the baggage was torn in pieces; the arms, cuirasses, and bridles, were broken; the horses were drowned, and the men hanged upon trees. The famous Sertorius, who was then very young, and served in Cæpio's army, had sufficient strength and courage to swim over the Rhone, armed as he was with his cuirass and buckler.

A. R. 647.
A.D. C. 105.

Eutropius and Orosius mention four nations, who shared in this victory; the Cimbri, Teutones, Tigurini, and Ambrones. Plutarch ascribes the principal glory of it to the last, who appear to have been one of the Swiss Cantons. He speaks of them, as of the bravest and most terrible of the whole allied army. They were thirty thousand in number.

*The Cimbri
resolved to
march to
Rome.*

After so great a victory, they deliberated on the necessary means for improving their advantage. They were not divided in opinion. It was agreed, that it was not proper to give the enemy time to look about them. The Barbarians, having so easily defeated those they had attacked, resolved not to stop, nor settle any where, till they had ruined Rome, and ravaged all Italy. They were however previously for consulting Aurelius Scaurus, whom they had taken in the first battle. They caused him to be brought into the assembly, to which, according to the custom of the nation, they repaired compleatly armed. The chains, which he had on his hands and feet, did not bind his tongue. Being asked his thoughts concerning their design to pass the Alps, in order to march against Rome, he endeavoured to divert them from it, as from a chimerical and impracticable project; exalting the power and greatness of the Romans, which no human force was capable of subverting. Boiorix, one of the Kings of that nation, a young and violent Prince, could not hear a captive continue speaking with so much freedom and boldness, and thrust his sword thro' him.

*Alarm and
consternation
of the
Romans.*

It is not easy to conceive the alarm and consternation, which so terrible a loss occasioned at Rome, that threatened still more dangerous consequences. A dreadful cloud of Barbarians were at the very gates of Italy, three hundred thousand men

men bearing arms, and followed by their wives and children, not so much to make war against Italy, as to subject it entirely, settle in its cities, possess its lands, and extirpate most of its inhabitants. Fame from the beginning had spread terrible things of their strength, great stature, and valour, or rather ferocity, that bore down and ravaged all before them like an impetuous torrent, and the effects still exceeded all that report had hitherto said of them.

The first thing done was to recal Cæpio, who had not been ashamed to survive a disaster, of which himself had been the principal cause. I shall make the different sentences passed upon him a separate article in the sequel. As to the Consul Mallius, nothing more is said of him in history. Rutilius his Colleague was appointed to make new levies for opposing the Barbarians, and he perfectly acquitted himself of that commission. For he not only raised soldiers, but exercised them with infinite care. He even introduced the custom unknown before, of giving them masters, to teach them to fence, in order that they might be capable of uniting address with courage on occasion. For this purpose he employed the masters of the gladiators; thereby converting an art, that had hitherto been destined only to the inhuman diversion of the multitude, to the utility of the Commonwealth. This practice was adopted by succeeding Generals: and in later times, mention is made of these fencing-masters for the soldiery, under the name of *Campi doctores*. The good discipline established by Rutilius in his army, may also be judged from the conduct he observed in respect to his own son. Instead of keeping him about his own person, with greater conveniencies and distinction, he made him only a private legionary soldier; in order that he might form him-
self

A. R. 647.
Ant. C. 105.

*Rutilius
exercises
and disci-
plines his
troops per-
fectly.*

A. R. 647. self for commanding by learning to obey in the
 Ant.C. 105. lowest rank of military life. It was in this manner, that Rutilius prepared soldiers for Marius, and conquerors for the Cimbri. For it was this army, that Marius, when appointed to act against the Cimbri, chose, in preference to that, with which himself had conquered Jugurtha.

*Marius is
 elected
 Consul for
 the second
 time.*

We have already said, that Marius, whilst still in Africa, and only three years after he had been elected Consul for the first time, was again raised to that supreme dignity, though it was not the custom to elect an absent person, and the laws required an interval of ten years between a first and second Consulship. But on this occasion the publick utility took place of custom and the laws. F. Flavius Fimbria was given him for his Colleague.

A. R. 648.
 Ant.C. 104.

C. MARIUS II.

C. FLAVIUS FIMBRIA.

*The Cim-
 bri turn
 towards
 Spain.*

The Romans, always wise in adversity, had at last taken the most effectual measures against the storm that threatened them. But those measures would perhaps have been too late, if Providence, that was watchful for the preservation of Rome, and which had destined that city to be the capital, and mistress of the universe, had not taken care early to remove the danger. The time was not yet come, when the Roman empire was to be the prey of Barbarians. We left the Cimbri in the resolution of marching against Rome: and if they had immediately put that resolution in practice, every thing was to be feared. But, without any known reason, they turned their backs upon Italy, and after having ravaged the whole country between the Rhone and the Pyrenees, they entered Spain. The Romans in consequence had time to recover

recover from their terror, and Marius to exercise and form his soldiers, to enure them to labour, to exalt and confirm their courage, and above all to make himself acquainted with them, and to accustom them to his discipline. For instead of the indulgence and lenity ascribed to him by Sallust in respect to the troops of Numidia, as we have seen, Plutarch describes him here as very rigid with regard to those now under his command. "His rough and fierce demeanour, says he, which they could not endure at first, and his inflexible austerity in punishing, as soon as they were accustomed to rule and obedience, seemed not only just, but salutary. They grew familiar with all that was terrible in him; the sharpness of his anger, the amazing roughness of his voice, the haughtiness of his looks, and the stern air of his countenance; and conceived all this ought not to give them, but his enemies, terror."

A. R. 643.
Ant. C. 104.

Plut. in
Mar.

An action of justice and equity much conciliated every body in his favour. His nephew C. Lusius, who served under him as a legionary Tribune, an officer of corrupt manners, having at different times used great solicitations to debauch a young soldier under his command, and finding him always inflexible, had at length recourse to violence. (a) The soldier, chusing rather to expose himself to the danger of death, than to consent to such an infamous crime, ran Lusius thro' with his sword. He was cited before Marius, as deserving death for killing his officer. When that General had heard what had passed from the soldier's own mouth, for nobody had dared to take

Noble
action of
Marius.
Plut. ibid.

(a) Interfectus ab eo est cui vim afferebat. Facere enim probus adolescens periculosè, quam perpeti turpiter maluit. Atque hunc ille vir summus [Marius] scelere solutum, periculo liberavit. Cic. pro Mil. 18.

A. R. 648.
Ann. C. 104.

upon him his defence, and had been assured by the evidence of some witnesses, that Lusius more than once had made the young man infamous proposals, he caused one of the crowns, usually given as a reward of the most glorious actions, to be brought, and crowned the soldier with it himself, exhorting him always to retain the same sentiments of probity and honour.

Plut. in
Syll.

This was however not a year of entire leisure to the Romans in respect to military expeditions. But the accounts of them come down to us are so little circumstantial, that all we know of them is, that Sylla, who was then Marius's Lieutenant, beat the Tectosages, a people on the banks of the Garonne, of whom we have spoke before, and took their General Copillus prisoner.

New canal of the Rhone made by Marius.

I think we may ascribe to this or the ensuing year the new canal of the Rhone made by Marius, though Plutarch does not speak of it till his fourth Consulship. Such a work seems to agree with the leisure the Barbarians gave him at first. As he had most of his provisions from the sea by the Rhone, he observed, that the entrance of that river was difficult, because the mouths of it were full of mud, and vast quantities of sand, brought thither by the sea. He therefore caused a new canal to be dug by his soldiers, which beginning at the Rhone below Arles, crossed the plain of Crau, as far as the village of Foz, the name of which is a monument subsisting of that ancient work, which the Romans called *Fossa Mariana*, and which probably ended at the tower of Bouc or Embouc. After the victory, Marius abandoned the canal to the Massylii, (*people of Marseilles*) in reward for their good and faithful services. That people drew a considerable revenue from it during some time. But it has been again filled up with sand for many ages. Honorius Bouche, in his chorography of Provence,

Provence, says, that the Galejon is a remainder of it. This is a lake, which empties itself into the sea, and formerly communicated with the Rhone by a canal called *Bras mort*: for fourscore years past it has been shut up with large palisades.

The time for electing new Consuls being arrived, every body were again inclined in favour of Marius. The Barbarians were expected, and the Romans seemed determined to fight those terrible enemies only under his command, and with him at their head. He was accordingly elected Consul by the people for the third time, and the Senate again decreed the province of Gaul to him, contrary to custom, and without drawing lots: and that with the advice of Scaurus, the Metelli, and all the Nobility. In great dangers the interest of the publick prevailed over private resentment.

A. R. 648.
Ant. C. 104.

Marius is elected Consul for the third time.

Plut. in Mar.

C. MARIUS III.

L. AURELIUS ORESTES.

A. R. 649.
Ant. C. 103.

The Cimbri did not return so soon as was expected, and Marius's third Consulship passed without any considerable event. Sylla however acquired new glory in it. He served this year as a legionary Tribune, and brought over the nation of the Marfi to the Romans, who must have been a German people in alliance with the Cimbri, and other Barbarians.

Sylla engages the Marfi to enter into an alliance with the Romans.

Sylla's glory, which continually increased, gave Marius still more and more jealousy. Seeing therefore that that General suffered him with pain, gave him no longer any honourable commissions, and on the contrary opposed his advancement on all occasions, he quitted him, and attached himself to Catulus, who the following year was elected Marius's Collegue in the Consulship.

The

A. R. 649. The Cimbri were not successful in their expedition in Spain. The Celtiberians defeated them. But their loss could not have been considerable. They returned to join the Teutones, and prepared at length to attack Italy with their whole force.

Ant.C. 103.
The Cimbri are defeated in Spain.
 Liv. Epit.

Marius is elected Consul for the fourth time.

Before the Barbarians were rejoined, Marius was elected Consul for the fourth time. His Colleague L. Aurelius being dead, he was obliged to go to Rome to preside in the assemblies, leaving his army under the command of Manius Aquilius. Many persons of great merit stood for the Consulship: but Saturnius, Tribune of the people, of whom we shall soon have occasion to speak largely, having been gained by Marius, endeavoured in all his harangues to induce the People to elect him Consul for the fourth time. As Marius affected difficulty, and declared, that he could accept that office no more, Saturnius, assuming a tone of reproach and indignation, called him traitor to his country, for refusing the command of the army in so pressing a danger. Every body perceived the game they played, or rather comedy, in which Marius acted the most unworthy part in the world for a man of honour, and the most capable of drawing universal contempt upon himself. But there was occasion for a General of experience and reputation. Marius was accordingly elected Consul for the fourth time, and the same Catulus was given him for Colleague, to whom Cn. Mallius had been preferred three years before. He was, as we have said before, a man of true merit, and had abundance of credit with the Nobility, without being disagreeable to the People.

C. MARIUS IV.

A. R. 650.
Ant. C. 102.

Q. LUTATIUS CATULUS.

The Consuls, who had prepared every thing ^{The Cim-} for taking the field, set out from Rome, as soon as ^{bri and} they received advice, that the Barbarians were ^{Teutones} upon their march. The latter, having divided ^{divide, and} their troops, advanced by two different routes. ^{the Con-} The Cimbri took theirs through Noricum, (Ba- ^{suls also.} varia and Tirol) to enter Italy; by the Trentine. The Teutones and Ambrones proposed crossing the Roman province of Gaul, (Dauphiné and Province) and to turn off through Liguria. The Consuls, upon this news, separated also. Catulus posted himself on the side of the Norican Alps, to wait there for the Cimbri; and * Marius moved to incamp at the confluence of the Isara and the Rhone, to oppose the Teutones and Ambrones.

The Cimbri had a long march, and nothing is ^{Marius de-} said of them till the approaching year. But the ^{clines} Teutones were soon in view of Marius. Their ^{fighting} troops were innumerable, and occupied a great ^{the Teu-} extent of country. They raised cries, or rather howlings, capable of striking with terror, and every day offered Marius battle, with great insults, and reproaching him with abject cowardice. All their insults and bravadoes did not move him. He kept close within his camp, solely intent for the present upon checking the ardour of his troops, who expressed incredible desire and impatience to come to blows with the enemy. To accustom them to sustain the terrible aspect of the Barbarians, and their brutal and savage tone of

* The exact date of all these movements of the Barbarians to be ascribed to the beginning or middle of the campaign. We and Consuls is not certain. It only relate facts in the gross, is hard to say whether they are having no more of them.

A. R. 650. voice, he sent different bodies of his army, one
 Ant. C. 102. after another, to the intrenchments of his camp,
 and made them stay there a considerable time;
 convinced, that novelty adds much to objects
 though terrible in themselves, and on the con-
 trary, that habit makes the most hideous things
 familiar.

Martha, It was not without pain, that they saw them-
a Syrian selves kept in inaction, considering these long
woman, delays as reproaches of cowardice. In order to
given out quiet them, he said he did not act in this manner
by Marius through a distrust of their courage, but that in
for a pro- consequence of some oracles from the gods, he
phets. waited the occasion and place favourable for
 victory. For he carried every where with him a
 Syrian woman, called *Martha*, who passed for a
 great prophetess. She was carried about in a litter
 with great honours and respect; and he took the
 order for the sacrifices from her. She wore a large
 purple mantle fastened with clasps, and carried a
 pike in her hand wrapt round with wreaths and
 bunches of flowers. The stupid multitude, who
 would scarce submit to the authority of so great
 a General as Marius, suffered themselves to be
 governed by a female soothsayer.

Marius One of the officers of the Teutones, remarkable
refuses a for the greatness of his stature, and the glitter of
single com- his arms, challenged Marius to a single combat.
bat. The Consul answered, *That if he had so great a*
desire to die, he might go and hang himself. Marius
 knew too well, that it is not for the glory of
 a General to pique himself upon the bravery of
 a soldier.

The Teu- The Teutones soon grew weary of repose, for
tones con- which they were not made. They endeavoured
tinue their to force Marius in his camp: but being over-
march, whelmed with a shower of darts, and having lost
and ad- great numbers of men, they resolved to continue
vance their
towards
the Alps.

their march, assuring themselves, that they should ^{A. R. 650.}
cross the Alps without difficulty or opposition. ^{An. C. 102.}
Accordingly they set forwards, and in a manner
passed in review before the Roman camp. Their
dreadful numbers were then known better than
ever, from the length of time their march conti-
nued: for they were six whole days filing off be-
fore Marius's intrenchments in continual motion.
As they passed very near the Romans, they asked
them sneeringly, *Whether they had any news to send*
their wives? that they should soon be capable to give
them an account of their husbands.

When the Barbarians were entirely passed, and ^{They are}
a little advanced on their way, Marius decamped ^{entirely de-}
and followed them in the rear, always posting ^{fected by}
himself near them, and chusing places strong by ^{Marius}
nature, and intrenching, that he might have no- ^{near the}
thing to fear in the night. The Barbarians, who ^{city of Aix.}
continued moving on, came to the city of Aix,
from whence they were not far from the Alps.
They fixed their camp here near a little river.
This was probably the river Arc, which runs a
quarter of a league from Aix. Marius resolved
to give them battle here, and posted himself in a
very advantageous place; but where it was not
easy to get water. (a) It is not known, says Plu-
tarch, whether he did this expressly, to enliven
the courage of his troops, by laying them under
the necessity of going to fetch it at the little river
in sight of the Barbarians; or whether his ability
gave the fault he had committed a turn to the ad-
vantage of his army. However that were, it is
certain, this circumstance occasioned the victory.
When the soldiers complained of wanting water,

(a) Consultò-ne id egerit tè necessitate aucta virtus,
Imperator, an errorem in con- causa victoriæ fuit. Flor. iii.
filium verterit, dubium: cer- 3.

A. R. 650.
Ant. C. 102.

the Consul pointing to the little river, cried out, *There's water before you ; but you must pay blood for it.* On these words all raising their cries, replied, *Lead us then against the enemy, whilst our blood is not exhausted and dried up by thirst.* Marius refused, telling them they must first fortify their camp. In this he followed the ancient maxim of the Romans, as we have observed in our account of the conduct of P. Æmilius in the war with Perseus. The soldiers obeyed, and fell to work upon their intrenchments : and in the mean time the servants, having armed themselves as they could, went to bring in water. The Barbarians were incamped on the other side of the river.

At first only a small number of the enemy attacked these Roman servants ; for it was exactly the hour, when some were at dinner after bathing, and others were still in the baths ; the place abounding with springs of hot water. It was no longer in Marius's power to keep in his soldiers, who were in great fear for their servants. Besides which, the Ambrones, who were the best troops of the enemy, rose on a sudden, and ran to their arms. Their bodies were full and heavy with the good cheer they had made : but their resolution was the greater in effect ; and being in higher spirits from the wine they had drank, they advanced not like Barbarians, and with furious emotions, but in good order, striking their arms in time, and with great cries repeating their own name, *Ambrones, Ambrones*, either to encourage one another, or to terrify their enemies, by letting them know whom they had to deal with. It accidentally happened, that the Ligurians marched at the head of the Roman army. Now the same name, *Ambrones*, was anciently that of their nation : They therefore immediately began to repeat it on their side, so that the field resounded with

with it from both armies. The Ambrones had the river to pass, which broke their order. Before they could draw up again, the Ligurians charged their front with great fury, and began the battle. The Romans came on at the same time, and from the advantageous posts they occupied, fell so rudely on the Barbarians, that they bore them down before them. Most of them were either killed, or crowded each other into the river, which was soon filled with blood and dead bodies. The Romans pursued those who fled, passing the river with them, and pushed them quite to their camp.

A. R. 650.
Ant. C. 102.

But here a new kind of enemies presented themselves against both sides. The wives of the Ambrones came out against them with swords and axes, gnashing their teeth with rage and grief, and discharged their fury equally on those who fled, and their pursuers; upon their husbands, whom they called traitors, and upon the enemy. They threw themselves into the midst of the press, seized the swords of the Romans with their naked hands, tore their shields from them, received wounds, saw themselves cut to pieces without being discouraged, and to their last breath shewed a truly invincible spirit. The Romans went no farther, and being stopt either through the boldness of these women, or the coming on of night, after having cut most of the Ambrones to pieces, they retired.

Their army was not heard to resound with songs of victory, as was natural after such great success. They passed the whole night in terror and anxiety: for their camp was neither secure, nor intrenched. The greatest part of the Barbarians had not fought: but their grief was not less than that of the Ambrones, who had escaped the slaughter. During the night they all raised dreadful cries, which did

A. R. 650.
A.D. C. 102.

not seem like the cries and groans of men, but like the roaring and howling of beasts. Marius expected to be attacked every moment, and extremely apprehended the tumult and disorder of an action, that was to pass in the night. The Barbarians did not stir that night, nor the next day ; but passed that whole interval in preparing for a battle.

In the mean time Marius knowing, that beyond the camp of the Barbarians, were hollow ways covered with wood, he sent Marcellus thither with three thousand foot, to lie in ambush, and to take the enemy in the rear, as soon as the battle began. The rest he ordered to refresh themselves with food and repose. At day-break next morning he drew them up in battle upon the eminence before his camp, and made his cavalry advance into the plain. The Teutones did not stay till the Roman infantry also came down, in order to fight it with equal advantage as to the ground ; but transported with rage, they took their arms, and ran on to attack it on the eminence. Marius sent principal officers on all sides, to order his troops to wait for the enemy without moving, and as soon as they should advance within length, to discharge their darts, to draw their swords, and push them back with their shields : for the place being a declivity, he thought with reason, that the strokes given by the Barbarians would neither have force, nor their close order be maintained, as they would totter, and have no firm footing, in effect of the descent and unevenness of the ground.

He did not content himself with giving these orders : but he added his own example, being accustomed to fight in person as well as to command. The Romans accordingly facing the Barbarians, and stopping them short as they endeavoured

voured to ascend, the latter were pressed and obliged to give way by degrees, and to regain the lower ground. The first battalions began to rally and draw up in battle; but those behind were in confusion and disorder. For Marcellus, intent upon all that passed, on the first cries of the charge, which resounded as far as the adjacent hills, under which he lay in ambush, had seized that moment for setting out, and had fallen impetuously with great cries upon the latter in the rear, cutting them to pieces. These, pushed with such fury, carried the disorder with them into the ranks in front. In an instant their whole army was in confusion. They could not long sustain so vigorous an attack before and behind, and quitted their order and fled. The Romans pursued them, and killed and took above an hundred thousand. The Epitome of Livy says, that there were two hundred thousand killed, and ninety thousand made prisoners: which seems incredible.

The spoils taken were immense: and the whole *The Roman* army unanimously made Marius a present of *man army* them: that present, great and magnificent as it *gives the* was, seemed still below the service he had done *spoils to* Marius, on so dangerous an occasion. He made a most *who causes* generous use of it; and desiring to reward such *them to* brave troops, he caused this booty to be sold to *be sold* them at a very low price; chusing rather to act in *at a very* that manner than to give it them as a mere dona- *low price.* tion; no doubt that he might not seem to set lit- *Diod ap.* tle value on the present they had made him; and *Vales.* besides, that his liberality, not seeming without advantage to himself, might not give those pain, who had the benefit of it. This conduct acquired Marius the universal esteem in the highest degree possible; and the Great united in applauding him with the people.

A. R. 650.

Ant. C. 102.

*Marius**employed at**a sacrifice**receives**advice,**that he has**been elected**Consul for**the fifth**time.*

As to the arms taken from the Barbarians, Marius, immediately after the battle, chose out the richest and least damaged of them, and such as were fittest to adorn his triumph. These he set apart, and having caused all the rest to be laid up on a great pile, he made a magnificent sacrifice of them to the gods. His whole army was drawn up around this pile, crowned with lawrel, and himself in a robe of state, attended in the most august manner, took a lighted torch, and lifting it up towards heaven with both his hands, he was going to set fire to the pile, when couriers appeared riding full speed towards him.

When they were near Marius, they dismounted, and running to salute him, declared that he was Consul for the fifth time, and delivered him letters that notified his election. This was a new subject of joy: and the whole army, to testify the pleasure it gave them, raised great cries, which they accompanied with the warlike clashing of their arms; and all the officers adorned the head of Marius with new crowns. At this moment, he set fire to the pile, and compleated the sacrifice.

A. R. 651.

Ant. C. 101.

C. MARIUS V.

M. AQUILLIUS.

The Consul Aquillius was sent into Sicily against the revolted slaves. We shall speak of that war after we have made an end of what regards that of the Cimbri. Marius marched against those Barbarians, to compleat what he had so gloriously began: and Catulus was also continued in command with the title of Proconsul.

*The Cimbri**enter**Italy.*

The Cimbri were at length arrived near the Alps on the side of the Trentine, and were preparing to enter Italy. Catulus, who had at first seized

seized the eminences to stop the Barbarians there, apprehended, that being obliged to divide his army into many posts, he should be too much weakened in effect. He therefore resolved to move down into Italy, placed the Athesis (*the Adige*) in his front, and formed two camps on the banks of that river to defend the pass, the greatest on this side, and the other on that where the Cimbri arrived: and for the communication of these two camps, he threw a bridge over the Adige, which enabled him to send aid wherever the enemy might attack his troops. Those Barbarians had the Romans in such contempt, and were so full of senseless arrogance, that only to shew their strength and boldness, without any use or necessity, they exposed themselves naked to the snow, climbed up to the tops of the mountains across heaps of ice and snow, and when they were got up, put their bucklers under them, and in that manner abandoned themselves to the declivity of those mountains, sliding down the rocks, which were extremely steep, and had terrible bogs and abysses at their bottoms.

At length, after having incamped near the Romans, and founded the river, when they found they could not pass, they undertook to fill it up; and rooting up the largest trees, loosening enormous pieces of the rocks, and breaking down great masses of earth, they threw them into the river, and thereby dammed up its course. And in order to loosen the piles, which served as a foundation for the bridge of the Romans, they threw things of great weight into the river, which being rapidly carried away by the current, struck rudely against the bridge, and shook it in so violent a manner, that it could not long resist them.

A. R. 631.
 Ann. C. 171.
*This force
 the passage
 of the
 danger.*

Most of the Roman soldiers were seized with such terror from these efforts of the enemy, that they abandoned the great camp, and retired. Catulus on this occasion acted with a conduct, that Plutarch praises; but which is however susceptible of a construction not much in his favour. Seeing that he could not prevent his people from flying, he put himself at their head, in order to save the honour of the nation, and that it might not be said, the Romans had fled before the Cimbri, but might rather seem to have followed their General. Catulus here then sacrificed his own glory to the honour of the Roman name: and would merit praise, if he could have done no better. But it would certainly have been of more consequence, to have reanimated his troops, than to have saved their honour in so precarious a manner: and I do not believe, that Marius on the like occasion would have been willing to deserve the like praise. And indeed Plutarch says elsewhere, that Catulus was no great warrior.

*Plut. in
 C. 1.*

*Plin. xvii.
 6.*

Those who were in the little camp on the other side of the river, though more exposed, shewed more resolution. They defended themselves with so much vigour, that the Barbarians, admiring their valour, permitted them to retreat, by granting them an honourable capitulation. The Centurion Petreius did more. As the legion, in which he was Captain, was surrounded, he exhorted it to open themselves a way through the enemy's camp. The Tribune, who commanded in chief, wavered. Petreius killed him with his own hands, put himself at the head of the legion, and extricated it out of danger. So brave an action was rewarded with the crown * *Obsidionalis*; a more

* *This crown was made of turf, and was given by the soldiers to him who had been extricated out of danger, to their leader.*

distinguished honour, as he was the first Centurion, to whom it had ever been granted. A. R. 651.
Ant. C. 101.

I must not omit here the sad fate of Scaurus's son. That young man, who served in the Cavalry, lost courage on the sight of danger, and fled. When he returned to Rome, his father, whose severity rose to cruelty, having forbade him to appear in his presence, he was so struck with shame and confusion, that he killed himself.

The Barbarians, who were now masters of the flat country, ravaged it without interruption. Florus affirms, that had they marched directly to Rome, they might have caused as great disasters there, as the Gauls had done long before on the like conjuncture. But, in order to wait for their companions, as had been agreed before they separated, they continued in this fine country, with which they were charmed. That agreeable abode, where they had every thing in abundance, became fatal to them, in enervating their bodies, and slackening their courage by pleasures and luxury, to which they abandoned themselves with the greater ardour and avidity, as they were the less accustomed to them. Flor. iii. 3.

In this extremity, Marius was recalled to Rome. He was received there with great marks of joy. The honour of a triumph was decreed to him: but he refused to accept it, and deferred it, till he should have terminated the war, as he said, by new successes, still more glorious than the first. It was but just for him not to deprive soldiers, who had so great a share in the exploits, by which he had deserved it, of their share in that glory; and at the same time he raised every body's expectation, by speaking of his victory as of a thing certain. He immediately set out to join Catulus, and made his troops advance from Gallia Narbonensis, where he had left them, after the defeat of the Teutones. *Marius joins Catulus with his army.*

A. R. 651.
Ant. C. 101.

Teutones. It appears, that Catulus had placed the Po between him and the Barbarians, as it is said, that Marius, when he had joined him, passed that river, and that the battle was fought near Vercellæ.

These two Generals were very unlike each other. Catulus was as obliging and affable, as Marius was rustick and haughty. This was the first rise of their disagreement. But Marius, notwithstanding his infinite superiority in point of military merit, was jealous even to meanness of all honour his Colleague might acquire. Of this we shall see proofs in the very battle.

Sylla also gave occasion for this misunderstanding to increase, and grow more virulent. He had quitted Marius to attach himself to Catulus, as we have said before: and he even did a signal service in the present conjuncture. Though the country was ruined, he found means to introduce plenty in the army of Catulus, and to such a degree, that Marius's troops thought themselves happy in being relieved by this aid, from the great scarcity they were in. Marius was only the more mortified from having this obligation to an enemy. However, these divisions did not break out then. The common danger united minds so disposed for discord, at least for a time.

Battle

near Ver-
cellæ. The
Comitians
entirely
defeated.

The Barbarians were at no great distance from the Romans. But they deferred giving battle, continually expecting the Teutones with impatience, whether they did not know, or, which is more probable, would not believe that they were defeated. Seeing that the two Generals had joined their forces, they sent Ambassadors to Marius to demand lands and cities for themselves and their brethren, sufficient for their abode and support. On being asked, who those brethren were, of whom

whom they spoke, they replied, the Teutones. A. R. 651.
Ant. C. 101.
The whole assembly set up a laugh, and Marius, in derision, told them: *From henceforth leave out your brethren, and be in no pain about them. They have the land we have given them, and will keep it to eternity.* The Barbarians, enraged at the irony, told him in a threatening tone, that he should repent that insult, and would be punished immediately for it by the Cimbri, and soon after by the Teutones when they arrived. *They are arrived,* retorted Marius, *there they are; it would be want of courtesy in you, to depart without saluting and embracing your brethren.* At the same time he ordered the Kings of the Teutones to be brought forwards in chains.

When the Ambassadors had made this report to the Cimbri, they resolved to fight: and Boiorix, one of their Kings, at the head of a small body of horse, approaching the Consul's camp, called upon him with a loud voice, and challenged him to chuse his time and place for a battle; and to decide who should remain masters of the country. Marius answered, "That the Romans never took
" counsel of their enemies concerning battle: but
" however, that he would have so much com-
" plaissance for the Cimbri." They accordingly agreed it should be on the third day following this parley, and in the plain of Vercellæ, which seemed commodious to the Romans for the acting of their cavalry, and to the Barbarians for extending their numerous battalions.

Neither side failed to be at the place fixed. Both drew up in battle. Catulus had more than twenty thousand foot under him, and Marius thirty thousand. Catulus was posted in the centre, and Marius's troops on both wings. We cannot give a certain detail of this great day. For we have no account of it but from Plutarch; and Plu-

A. R. 611.
Ant. C. 101.

Plutarch himself cites only Catulus and Sylla, both Marius's enemies. Catulus had composed an history of his Consulship, which Cicero praises, as (a) wrote with abundance of sweetness, and in Xenophon's manner. Sylla had left memoirs of his life, which are often quoted by Plutarch. These two works would be very authentick monuments, if there were no reason to fear, that enmity had often guided the pens of the writers. But on the other side, and this is precisely what increases the uncertainty, Marius was so immoderately greedy of glory, and so violently jealous of every rising merit near himself, that nothing ascribed to him is hard to believe, which proceeds from that principle. Here, for instance, the disposition of his troops, drawn up so as to surround those of Catulus on both sides, had no motive, according to Catulus and Sylla, but the hope he had conceived of falling upon the enemy, and breaking them with his two wings, and that the victory would be entirely owing to his soldiers, without the other army's having any share in it.

The Cimbri gave their battalions as much depth as front, so that they formed an hollow square, of which each side occupied the space of thirty * *stadia*. Their cavalry, which consisted of fifteen thousand horse, came on in superb equipages. All the riders had helmets in the form of open mouths, with muzzles of all kinds of strange and terrible wild-beasts; which being set off with plumes formed like wings, and of prodigious height, made their persons seem much the larger. They were armed with cuirasses of polished steel, and

(a) *Molli & Xenophonteo genere sermonis.* Cic. Brut. n. 132.

* *About a league and a quarter.*

covered with bucklers entirely white. Each of them carried two javelins to discharge at a distance: and when they had joined the enemy, they used great and heavy swords. In this attack, they did not advance to charge the Romans in front, but inclining to the right came on by degrees, with design to inclose them between themselves, and their infantry, which was upon their left.

A. R. 651.
Ant. C. 101.

The Roman Generals immediately perceived that stratagem, but could not restrain their soldiers. One of them crying out that the enemy fled, all the rest instantly ran forwards to pursue them. In the mean time the foot of the Barbarians advanced like the waves of the main ocean. Marius and Catulus, lifting up their hands towards heaven, vowed the one to sacrifice an hecatomb to the gods, and the other to dedicate a temple to the fortune of that day. The intrails of the victims were no sooner shewn to Marius, than he cried out, *The victory is mine*. Nothing more is wanting to animate an whole army.

Marius however, if we may believe Sylla, had no share in the victory: and his mean jealousy was justly punished by an accident he had not foreseen. For when they were in motion to come to blows, so great a cloud of dust arose, that both armies were covered with it, and could not be seen by each other. Marius, who had advanced first to charge with his troops, had the misfortune to miss the enemy in the darkness that covered both armies, and having pushed on a great way beyond their line of battle, he wandered long about the plain, before he knew where he was.

Fortune was as favourable to Catulus, as it had been contrary to the Consul. He came up with the Barbarians, and his army, in which Sylla had

4 a di-

A. R. 651.
A.M.C. 101.

a distinguished command, sustained the whole weight of the battle almost alone. The heat of the weather, which was very great, and the sun, which shone in the faces of the Cimbri, was much in favour of the Romans. For those Barbarians, accustomed to support the hardest frosts, and nurtured in cold places covered with woods, could not bear heat, but were in a manner melted, could not respire, and were only able to put their shields before their faces to cover them from the sun. It was then the hottest time of summer, about the latter end of July.

The dust was also of great use to the troops of Catulus, and served very much to augment their boldness and confidence, by hiding the greatest part of the enemy from them. For they were far from seeing their innumerable multitude. But each body having moved on briskly to charge those before it, they were engaged, before the sight of the enemy's whole army could strike their eyes, and terrify them. Besides which they were so inured to labour and fatigue, that according to Catulus, not a single Roman was seen to sweat, or gasp for breath, though the heat was excessive, the charge very warm, and they had ran on as fast as possible to the attack. Most of the Barbarians in consequence, and the bravest of them, were cut to pieces. For all those in the front line, to prevent breaking their order of battle, were made fast to each other by long chains affixed to their shields: A very singular, and entirely odd precaution. All the rest were broke, and drove back quite to their camp. In this extremity, the women of the Cimbri shewed no less courage, or, more properly speaking, fury, than those of the Ambrones, of whom we have spoke above. They got into their carriages, drest in black robes, and from thence killed those who fled, some their husbands,

husbands, and others their brothers, or fathers.<sup>A. R. 651.
Ant. C. 101.</sup> At last seeing, that it was impossible to withstand the victors, they sent deputies to Marius, to demand of him, if not liberty, at least a slavery, that suited their sex and virtue; offering to be slaves to the vestals, upon condition of observing perpetual chastity like them. But being refused this grace, they abandoned themselves to the most horrible despair. They took their little children, and either strangled them with their own hands, or threw them under the wheels of the carriages and the horses feet; and afterwards killed themselves. Plutarch relates, that one was found hanging at the pole of a car, with her two children hung at her legs above the heel. It is easy to conceive, that historians have here gone beyond the marvellous, and sought to amuse with more than tragical accounts. For instance, who can believe what Plutarch tells us, that the Barbarians not finding trees to hang themselves upon, tied themselves by the neck, some to the horns, and some to the feet of oxen, and that afterwards pricking them with goads, they made them drag and tear them to pieces, in order to perish in the most miserable manner in nature.

The number of the prisoners was however very great. It is made to amount to sixty thousand, and that of the dead to twice as many. Marius's soldiers took the baggage: but the spoils, ensigns, and trumpets, were carried into the camp of Catulus: which he urged as a proof, that the Romans were indebted for the victory solely to him. It is not said, what part Marius took in this dispute, which must have affected him so much. But on its growing warm between the soldiers of the two armies, the Ambassadors of Parma, who were upon the spot, were chosen to decide it. The soldiers of Catulus carried them to the field of

A. R. 651.
Ant. C. 101.

of battle to inspect the dead, and shewed them; that they were all wounded by their javelins, which were easily and assuredly to be known, because Catulus had taken care to have his name cut upon the staves of all the missive weapons of his soldiers. If these facts are certain, it is not to be doubted, but that Catulus was the real conqueror of the Cimbri. But fame has decided otherwise. The (a) whole honour of this great day has remained to Marius: and Catulus is only known to the learned. And even when the event was quite recent, it was a sufficient honour for him to be associated as second in the glory of Marius.

The news of this victory occasions incredible joy at Rome.

When the news of this victory arrived at Rome, it occasioned a joy, that cannot be expressed. The People especially, who had long since declared for Marius, whom they considered in some sense as their creature, did not believe, they could render him sufficiently great honours. They gave him the glorious title of Third founder of Rome; judging that the service he had just done his country, was not inferiour to that Camillus had formerly rendered it in conquering the Gauls. At their meals, they offered the first-fruits to Marius, and made libations to him at the same time as to their gods. They were for having him triumph alone: and even decreed him two triumphs, the one for his victory over the Teutones, and the other for that over the Cimbri.

Marius triumphs jointly with Catulus.

Marius behaved with moderation on this occasion. He accepted only one triumph, and associated Catulus in it with him. He perceived, that it would be unjust to deprive so illustrious a com-

(a) Hic (Marius) tamen & Cimbros, & summa pericula rerum
Excipit, & solus trepidantem protegit urbem
Atque ideo, postquam ad Cimbros stragemque volabant
Qui nunquam attigerant majora cadavera corvi,
Nobilis ornatur lauro Collega secundâ. *Juven. Sat. I.*
panion

panion of an honour, to which he had an undoubted right; besides which, he apprehended that his own triumph would be interrupted by the troops of Catulus, if their General should receive so cruel an affront. Amongst the prisoners led in triumph, King Teutobodus, who had been taken at the battle of Aix, was the most remarkable. He was of so excessively tall a stature, that he was higher than the trophies; which supposes, according to Gassendi, that he was above ten feet high. The thing is scarce credible.

A. R. 651.
Ant. C. 151.

Flor. iii. 3.
Gassendi
vit. Pei-
refc.

Sertorius continued distinguishing himself more and more, and acquired Marius's esteem, and honourable rewards, for exposing himself to go amongst the Cimbri in the disguise of a Gaul, and for having brought back intelligence of great use to his General.

History also mentions two cohorts of Umbrians, all of whom, Marius, in honour of their valour, rewarded with the freedom of Rome: and being afterwards told, that the law did not admit of such rewards, he answered at once agreeably and haughtily, that the din of war had prevented him from hearing the voice of the law.

Marius was desirous in some measure to perpetuate his triumph by a practice singular and full of vanity. He affected afterwards to be served in drinking with a cup like that ascribed to Bacchus, the conqueror of India; so "that (a) every time he drank, says Valerius Maximus, he compared his victories with those of that fabulous conqueror." Such was the (b) pride of this plowman of Arpinum; this soldier of fortune.

(a) Ut inter ipsum haustum vini, victoriæ ejus (Bacchi) suas victorias compararet. *Val. Max. iii. 6.* Cimbricam cantharo potasse; Liberi Patris exemplo; traditur, ille arator Arpinas, & manipularis imperator. *Plin. l. xxxii. c. 11.*

(b) C. Marius post victoriam

A. R. 651.

Ant. C. 101.

Each of the
two Generals erects
a temple.

Vitruv.

Præf. l. vii.

Plut. in
Mar.

Another monument of his victory, which was not subject to a like censure, was a temple which he erected, as Marcellus had done of old, to Honour and Virtue. But his rough and savage turn of mind, and his aversion for the arts and learning of the Greeks, appeared in the construction of this temple; in which he would suffer no marble to be used, nor any stone but the most simple and common, without any ornaments either of sculpture, or painting: nor would he employ any but a Roman architect. And as he was obliged to exhibit Greek games and shews in the dedication of this temple, he entered the theatre, but only just sat down, and went out the moment after. Catulus also built a temple, according to his vow made in the battle, *to the fortune of that day*. The inscription placed upon the front was these words, *Fortunæ hujusce diei*. Thus though in the first intention it related only to the day of battle with the Cimbri, the inscription was applicable to every day to eternity.

Condemnation of CÆPIO.

Cæpio's
misfor-
tunes.

To * relate all that concerns the war with the Cimbri, I proceed here to insert an account of the disgraces of Cæpio, which I have been obliged to defer, to avoid breaking in upon the series of facts.

He ac-

quires the

favour of

the Senate

by a law,

which re-

st. red the

adjudging

of causes to

that order.

I shall first observe, that Cæpio's person was always dear to the Senate, because he was the first who attempted to remedy the wound C. Gracchus had given the authority of that order, in depriving the Senators of the administration of justice, and transferring it to the Knights. Cæpio

* This section concerning Cæpio, and the history of the second war of the slaves in Sicily, are the Editor's.

in his Consulship, before he set out for the war against the Cimbri, passed a law, by which it was ordained, that the bodies of the judges should consist half of Senators, and half of Roman Knights. It is easy to judge the infinite pleasure this law gave the Senate, from the vehemence and energy of the expressions used by the orator Crassus, in his discourse to support the Consul's proposal. He described the power of the Knights as a real tyranny, and the actual situation of the Senate, as a state of oppression. "Deliver (*a*) us, said he to the people, speaking in the name of the Senate; deliver us from the miseries under which we groan. Deliver us from the fury of those, whose cruelty cannot be satiated with our blood. Deliver us from slavery. Suffer us not to be in subjection to any whatsoever, except your order, to which we both can and ought to obey." This so much desired law was not put in execution, or at least was not long in force. For we shall see in some years the Knights again have the sole administration of justice. It however did so much honour to its author, that it acquired him the title of protector of the Senate, *Senatus Patronus*.

It is undoubtedly for this reason, that Cicero, Val. Max. who was always true to the aristocratical opinions, vi. 9. as often as he has occasion to mention Cæpio, speaks honourably of him. "Cæpio (*b*), according to him, was a man of great courage and constancy, to whom the misfortunes of war

(*a*) Eripite nos ex miseriis: eripite nos ex faucibus eorum quorum crudelitas nostro sanguine non potest expleri: eripite nos ex servitute. Nolite finire nos cuiquam servire, nisi vobis universis, quibus & possumus & debemus. *Crassus apud Cic. l. i. de Or. n. 225. & Parad. v.*
(*b*) Q. Cæpio, vir acer & fortis, cui fortuna belli crimini, invidia populi calamitati fuit. *Cic. Brut. n. 134.*

“ were made criminal ; but the true cause of his
 “ disgrace was the people’s hatred.” We have
 seen, that historians are far from being so fa-
 vourable to him, that they represent him as highly
 criminal in respect to plundering the gold of
 Toulouse, and impute to his arrogance and temerity
 the bloody defeat of the Romans by the Cimbri.

*He is di-
 vested of
 command,
 and his
 estate is
 confiscated.*

Cæpio, after that defeat, was ignominiously dis-
 placed by the People, as we have said above ;
 and to that punishment they added the confiscation
 of his estate. But those were only the beginnings
 of his misfortunes.

A.R. 648.

*Then ex-
 cluded the
 Senate.*

The following year, under the second Consul-
 ship of Marius, L. Cassius, Tribune of the People,
 caused it to be ordained by a law, that no person
 should sit in the Senate, that had been condemned
 and deprived of command by the people. Nothing
 was wanting to this law, but Cæpio’s name. For
 he was the only person in the case.

Hitherto it does not appear, that the gold of
 Toulouse was brought in question, unless the con-
 fiscation of Cæpio’s estate was the punishment of
 his sacrilege. We know besides, that very strict
 enquiries were made concerning that crime, in
 which many were involved. But it is not to be
 doubted, but that Cæpio was brought on that
 account before the people a second time, ten
 years after his first condemnation, by the Tribune
 Norbanus.

He is again

condemned

by the

people for

plundering

the gold of

Toulouse.

The accused found friends and protectors. The
 same L. Crassus, of whom we have just spoke,
 and who was then Consul, openly took upon him
 his defence. Scaurus, Prince of the Senate, and
 no doubt the whole order of the Senators,
 espoused his interest. At length L. Cotta and
 T. Didius opposed their Colleague’s law in form.
 Violence decided the affair, which was but too
 common then at Rome. A furious sedition arose.

Scaurus

Scaurus was put to flight, and even received a blow with a stone. The opposing Tribunes were driven from the tribunal of harangues. The law passed, and Cæpio was condemned.

The sequel of this condemnation has some ob-
scurity in it. The combined testimonies of Cicero and Strabo only inform us, that he was banished and retired to Smyrna. Valerius Maximus affirms, that he was put in prison after his trial: and he praises the zeal and fidelity of a friend of Cæpio's, Rheginus Tribune of the people, who forced the prison, took out his friend, and went into banishment with him. This account may entirely be reconciled with Cicero and Strabo. But the same Valerius Maximus adds elsewhere things, that do not only differ from the account of those two authors, but seem to contradict what I have just repeated after himself. He says, that Cæpio was strangled in prison, and his corpse ignominiously dragged to the * *Gemoniæ*. No-body but himself speaks of so unhappy a death. But however it be, it is certain at least, that Cæpio's misfortunes were ascribed to the vengeance of the gods, who punish the guilty, says Strabo, even in the persons of their children. It is said, that he left only daughters, who dishonoured their name by infamous conduct, and perished miserably.

* Place in Rome, to which executed bodies were dragged with an hook.

S E C T. II.

Insurrections of the slaves in Italy, excited by Vettius the Roman Knight. Occasion of the revolt of the slaves in Sicily. Six thousand revolted slaves chuse Salvius for their King. They form an army of twenty thousand foot, and two thousand horse. Another revolt of the slaves, of which Athenion is leader. Salvius, who had taken the name of Tryphon, unites all the forces of the rebels under his command. Lucullus is sent into Sicily, and gains a great victory over the slaves. But he neglects to take advantage of it. Servilius succeeds Lucullus. Tryphon dies, and Athenion is chosen King in his stead. The Consul M'. Aquilius terminates the war. Parricide committed by Publicius Malleolus. Punishment of parricides. Marius by intrigues and money obtains a sixth Consulship. Origin of the Hatred of Saturninus for the Senate. He becomes Tribune of the People, and attaches himself to Marius. Censorship of Metellus Numidicus, and violent contests between him and Saturninus. The latter insults the Ambassadors of Mithridates. He is cited to a trial and acquitted. Having killed Nonius, he is elected Tribune for the second Time in his stead. He proposes, and passes a new Agrarian law. Vile fraud of Marius. Metellus, of all the Senators, refuses to take an unjust oath. He is banished. Insolence of Saturninus. Unworthy conduct of Marius to inflame divisions more and more. New excesses of Saturninus. All the orders of the Commonwealth unite against him: he is put to death. His memory is detested. The faction of Marius prevents the return of Metellus. Glorious recal of Metellus. Marius quits Rome, to avoid being witness of the return of Metellus.

War

War of the Slaves.

THE second war of the slaves in Sicily happened at the same time, with that of the Cimbri, and subsisted about four years. Some com-
 motions of the slaves in Italy seemed the prelude to it. Some of them happened at Nocera, and some at Capua, which were easily suppressed. But the most considerable had a Roman Knight at the head of it, called Vettius.

His father was extremely rich; but there are no fortunes, which the madness for debauch will not easily find means to lavish. The bad state of his affairs was however not known: he had still credit, and having fallen desperately in love with a young slave, he bought her of her master for seven talents (something more than a thousand pounds sterling) which he promised to pay, at a certain time. The term elapsed, and he had not the money. He therefore demanded a second delay, which was granted. But as on the expiration of it, he found himself again under the same difficulty, frantick with his violent passion, and pressed by his creditor, he took a desperate resolution. He again bought upon credit, five hundred compleat suits of armour, which he caused to be secretly conveyed into the country: he there exhorted his own slaves to revolt, to the number of four hundred, armed them, assumed himself the diadem, purple, and all the marks of sovereignty, and declared himself King. His first exploit was to seize and murder his importunate creditor, who would be paid at all events. He afterwards roved about the country, allured slaves to him by the attraction of liberty, killed those who opposed him: and having formed a body of seven hundred

men, he fortified a camp, to serve as an asylum for all that would join him.

When this news came to Rome, the Senate immediately conceived, that there was more need of expedition than of great forces. L. Lucullus, who was then Prætor, had orders to set out directly with six hundred men, and to assemble and lift all he should find upon his march capable of bearing arms. On arriving at Capua, he had four thousand foot and three hundred horse. In the mean time the number of Vettius's troops had augmented considerably. He had with him three thousand five hundred men, and being intrenched upon an eminence, he had even some advantage of Lucullus in a slight engagement. But the latter having brought over by the hope of impunity one Apollonius, whom the pretended King had appointed General of his army, Vettius, who saw himself betrayed, was reduced to kill himself, to escape captivity, and the shame of punishment. All those who had taken arms with him, perished in the like manner. Apollonius only, with whom the promise made was faithfully kept, had his life saved. If any one had foretold this Vettius, that his parties of pleasure in his early youth would terminate in so desperate a resolution, and so unhappy an end, he would never have believed it.

The revolt of the slaves in Sicily seems to have began the same year the affair of Vettius happened. The occasion of it was as follows.

A. R. 645. Marius charged with the war against the Cim-
 brians, raised troops amongst the Kings his allies.
 Nicomedes King of Bithynia excused himself on
 account of his want of power to furnish them,
 because the tax-farmers (*publicans*) had taken off
 great numbers of his subjects, made slaves of them,
 and dispersed them into different provinces. The
 Senate by a decree prohibited the detaining in
 slavery

slavery any free person of the countries, in alliance with the Roman People, and ordered the Prætors, as soon as possible, to reinstate all those, who should be in this case in their liberty. Lici-nius Nerva governed at that time in Sicily. He applied himself to execute the decree of the Se-nate, and in a very short time more than eight hundred were released. As the principal and most powerful persons of the island lost considerably by the execution of this regulation, they addressed themselves to the Prætor, who either out of con-sideration for their persons, or for the lucre of money, changed conduct, and would not give the slaves audience, who applied to him, sending them back even with menaces to their masters.

These unhappy creatures, who were refused justice, resolved to do it themselves. They first assembled in small bodies, which were easily dis-perfed. But the first successes having rendered the Prætor more negligent, they assembled again. They were soon above two thousand, and defeat-ed a body of six hundred regular troops, that had been sent against them. This victory procured them arms, of which they were in great want, and besides acquired their enterprize so much reputa-tion, that they saw their number increased in a short time to six thousand. They then resolved to give themselves a form of government: and in a general council elected one of their own body King: his name was Salvius, who had gained credit by his pretended skill in divination.

This new King acted with good sense. He di-vided his troops into three bodies, and after hav-ing appointed them a rendezvous, he ordered them to disperse into the country, to solicit the slaves every where to revolt, and to carry off cattle, but especially as many horses as possible. He suc-ceeded

*Six thou-
sand slaves
revolt, and
choose Sal-
vius for
their King.*

He forms an army of 20,000 foot, and 2000 horse. succeeded so well in every thing, that he at length assembled an army of above two thousand horse, and twenty thousand foot, which he took care to form in all kinds of military exercise. In this condition he set out to besiege one of the most important places of Sicily, called Murgantia.

The Prætor seemed to awake as from a kind of lethargy. He marched against the rebels with ten thousand soldiers both Italians and Sicilians. But all he did was but to increase the glory of the King of the slaves, who routed his whole army, killed six hundred, and took four thousand prisoners. Salvius however could not effect the reduction of Murgantia.

Another revolt of slaves, with one Athenian at their head. In the mean time, on another side of Sicily, towards Sergestum and Lilybæum, a new conspiracy of slaves broke out, who had Athenion for their leader, a Cilician by birth, brave in person, and who gave himself out for skilful in judicious astrology. For it is remarkable that superstition, and the chimeras of divination, have always great force in this kind of revolts. This man seeing himself at the head of a thousand more, who had joined him in five days, assumed the diadem with the name of King. But he acted in a quite different manner from other chiefs of rebels, who usually make all soldiers, who come in to them. As to him, he gave arms only to such as he observed to have strength of body and courage. He obliged the rest to follow their usual business, in order that they might supply the army with subsistence and other conveniences.

He had soon assembled ten thousand men, with whom he believed himself sufficiently strong to besiege Lilybæum. He was mistaken: the enterprize was too difficult; and he found it necessary to think of retreating. But bad success, which should naturally have discredited him, turned

ed to his advantage in effect of his address, seconded by a lucky accident. He informed his troops, that the stars threatened them with some great misfortune, if they persisted to continue before the place. And in reality, when he decamped, an aid of Moors arrived at Lilybæum, who immediately made a falley, fell upon Athenion's rear-guard, and killed him abundance of people. The slaves did not doubt but this event was the accomplishment of their King's prediction, and conceived the greater veneration for him.

Hitherto the rebels had no place of strength. *Salvius, who had taken the name of Tryphon,* the name in former times of an usurper of the crown of Syria, made himself master of Triocala, *Tryphon, unites all the forces of the rebels under his own command.* a place extremely strong and advantageous in every respect. He then ordered Athenion to repair to him, as a King orders his General. The latter obeyed, and thereby put an end to the hopes, which had been conceived; that the rebels being divided against themselves, it would be easy to reduce them. We have already seen the same thing between Eunus and Cleon in the first war of the slaves. Tryphon was however not exempt from distrust in respect to Athenion, and caused him to be arrested. The government of the slaves then took an entirely regular form. Tryphon assumed all the ornaments of sovereignty, appointed guards for his person, formed a council, built a palace in Triocala, and caused a forum to be made fit to contain a numerous assembly. He had then above thirty thousand men under him, without including Athenion's troops.

Things were in this state, when Lucullus was *A R. 649. Lucullus is sent into Sicily, and gains a great victory over the slaves.* sent to Sicily. This was undoubtedly the same person, who the year before being Prætor had destroyed Vettius's small army, and who, after having passed the year of his Prætorship at Rome,

Rome, according to the long established custom, was to have the government of a province. He brought with him fourteen thousand Romans and Latines, and two thousand auxiliaries. With these troops he marched against the rebels.

On his approach, Tryphon held a Council. He was of opinion, that it was necessary to shut themselves up in Triocala, and to expect the enemy there. Athenion, who had been restored to favour, thought it best to hazard a battle. This opinion took place. Accordingly they set out to the number of forty thousand, and incamped fifteen hundred paces from the Romans. After some days, which passed in skirmishes, they came to a general action. Athenion supported the counsel he had given by prodigies of valour. But when he was obliged to retire from the battle by three wounds, the slaves lost courage, and fled, leaving twenty thousand of their number upon the spot. The rest with Tryphon retired into Triocala. Athenion, remained concealed amongst the dead, and afterwards, by favour of the night, escaped also into the place.

But he neglected to take advantage of it.

It had been easy for Lucullus to terminate the war, if he had immediately attacked the remaining revoltors whilst entirely discouraged by their defeat. They were so to such a degree, that they deliberated, whether they should not return to their masters, and submit to their discretion. But the Prætor having given them time to recover from their first terror, they took courage again, and resolved to fight to their last breath, rather than surrender themselves to their cruel tyrants. At the end of nine days Lucullus actually besieged Triocala; and after having lost abundance of men before it, he was obliged to raise the siege. From thence forth he left the rebels in quiet enough, and was suspected of having been more intent upon enriching

enriching himself in his province, than upon restoring its tranquillity. And this was not mere suspicion. For when he returned to Rome, he was accused and condemned as guilty of extortion. This Lucullus was the father of him who afterwards commanded against Mithridates.

Servilius was sent the year following to succeed A R. 650. him, and did nothing memorable. Florus even Servilius says, that the rebels defeated him, and took his succeeds camp. Whilst he was in Sicily Tryphon died, Lucullus. and Athenion who succeeded him ravaged the Tryphon whole island, besieged and took several cities, dies, and whilst the Prætor hardly made any motion to stop Athenion his progress. is chosen King in his stead.

At length a Consul was sent from Rome against The Con- enemies, who continually became more and more sul M. formidable. This was Manius Aquillius, Mari- Aquillius us's Collegue in his fifth Consulship. He was a terminates man of heroick valour. He gained a signal victory over the enemy, in which he killed Athenion with his own hands, after having received a wound himself in the head. the war.

The slaves, though they had lost their leader, cantoned themselves however in different places. Aquillius pursued them thither, without giving them occasion however to fight, but endeavouring to reduce them by famine. Only a thousand of them surrendered, with Satyrus their commander. Aquillius caused them to be carried to Rome, and was for making a shew of them to the people in fighting with wild beasts. Those unfortunate wretches, seeing that their lives were preserved only for the sport and diversion of the Romans, exhibited a fight to them quite different from that they expected. They turned the arms put into their hands against one another, and died in that manner. Satyrus, who survived last, killed him-
self

self. Aquillius had the honour of the little triumph or ovation.

Athen. Thus ended the second war of the slaves in Si-
vi. 20. cily. It is said that the number of the slaves who
perished in this and the preceding war, amounted
to a million.

DETACHED FACTS.

Parricide committed by Publicius Malleolus. Whilst the war with the slaves still subsisted, and immediately after the triumphs of Marius and Catulus over the Cimbri, history mentions a parricide, which some have considered as the first crime of that kind, that was ever committed in Rome.

Plat. in. But there is a prior instance of it. Plutarch tells
Rom. us, that in the time immediately after the war with Hannibal, one L. Hostius killed his father. The person guilty of this crime now, was called Publicius Malleolus. He killed his mother, with the assistance of his slaves.

Punishment of Parricides. Every body knows what punishment was inflicted upon Parricides at Rome. Romulus had instituted none; perhaps having been of the same opinion with Solon, who in making his laws for the Athenians, observed the same silence on the same subject; and, on being asked his reason for it, replied, that he supposed, there never could be any one capable of so horrible a crime. And indeed, to institute a punishment for a thing so extremely contrary to nature, may seem rather to teach mankind to consider it as possible, than to prevent it. But there is no excess of wickedness of which man is not capable; and L. Hostius having given a proof in respect to this crime in Rome, it is to be believed, that it was for him the singular punishment of which I am going to speak was invented. The criminal was strongly sewed up in a leather bag with a dog, a cock, a viper, and

and an ape, and in that condition thrown into the Tiber.

But to what shall we ascribe the choice of so extraordinary a punishment? Cicero explains this in one of his pleadings; and that passage of eloquence, though more witty than solid, may perhaps, by way of variety, not displease the reader. “How (a) worthy of admiration, cries
 “he, is the wisdom of our ancestors, in the punishment they established for parricides! Do
 “they not seem to have cut off the criminal from
 “all nature, by divesting him at the same time
 “of the heavens, the sun, the water, the earth,
 “(earth, air, fire and water) in order that the
 “wretch, who had killed him, from whom he
 “received birth, might be deprived at once of all
 “the elements, that give existence to the different
 “beings that compose this universe? They would
 “neither expose him to wild beasts, lest even
 “those creatures, from a kind of contagion communicated to them by such a monster, should
 “become more savage; nor throw him naked
 “into the river, lest he should contaminate
 “the sea, intended by nature (as is thought)

(a) O singularem sapientiam, judices! Nonne videntur hunc hominem ex rerum natura sustulisse & eripuisse, cui repente cœlum, solem, aquam, terramque ademerunt; ut qui eum necasset unde ipse natus esset, careret iis rebus omnibus ex quibus omnia nata esse dicuntur? Noluerunt feris corpus objicere, ne bestiis quoque, quæ tantum scelus attigissent, immanioribus uteremur; non sic nudos in flumen dejicere, ne quum delati essent in mare, ipsum polluerunt, quo cætera quæ violata sunt ex-

piari putantur. Denique nihil tam vile, neque tam vulgare est, cujus partem ullam reliquerint. Etenim quid tam est commune, quam spiritus vivis, terra mortuis, mare fluctuantibus, littus ejectis? Ita vivunt, dum possunt, ut ducere animum de cœlo non queant: ita moriuntur, ut eorum ossa terra non tangat: ita jactantur fluctibus, ut nunquam abluantur: ita postremò ejiciuntur, ut ne ad saxa quidem mortui conquiescant. *Cic. pro Sex. Rosc. 71, 72.*

“ to

“ to wash away, and purge, all filth. In a word,
 “ there is nothing so vile in nature, nor of the
 “ most common and general use, of which they
 “ left him the enjoyment. And what is there in-
 “ deed in nature more common than air to the
 “ living, earth to the dead, sea to those upon
 “ the waves, and shore to those driven thither
 “ by them? These wretches perhaps live some
 “ moments, but without being able to respire the
 “ air: they die, and their bones do not touch
 “ the earth: they are continually tossed about by
 “ the waves, without ever being washed: in a
 “ word, they are driven to the shore, but with-
 “ out ever being able to find near the rocks them-
 “ selves a place of repose.”

It is probable enough, that the inventors of
 this punishment had some of the views, upon
 which Cicero expatiates with so much wit and
 luxuriance. We easily perceive in it an horror,
 that endeavours to rid itself by the shortest means,
 of an object infinitely odious. For the rest, if I
 tax the passage I have just repeated, with being
 of a kind of eloquence, that runs too much after
 the Shining, without sufficient attention to the
 Just, I only speak after Cicero himself. He has
 criticized upon it; and after having (*a*) said, that
 when he pronounced it, being then very young, he
 was extremely applauded; he however censures it,
 as favouring too much of the greenness of youth;
 as rather requiring indulgence than deserving
 praise; as more to be commended for the hope
 it might give for the future, than any real present
 merit.

(*a*) *Quantis illa clamoribus adolescentuli diximus de supplicio parricidarum! quæ nequaquam satis deferbuisse post aliquanto sentire cœpimus—*

Sunt enim omnia sicut adolescentis, non tam re & maturitate, quam spe & expectatione laudati. Orat. 107.

Let

Let us return to Marius; whom we left full of glory; and who is going to draw reproach upon himself by a frantic ambition; and all the guilt of perfidy and treason:

It did not suffice him to have been raised five times to the Consulship, and, which was unexampled in Rome, to have exercised that supreme office during four years successively. He desired and solicited a sixth Consulship with more ardour; than ever person did to obtain it for the first time. He endeavoured to make himself agreeable to the people, by assuming the complaisant, and affecting kind and affable behaviour; which became him very ill, as it was doing violence to his character, that was naturally rough and imperious. To all these vain artifices he added one more effectual. He dispersed money in abundance amongst the Tribes; and thereby not only succeeded in being elected Consul for the sixth time, but set aside Metellus Numidicus, who stood for it; and caused L. Valerius Flaccus to be given him less as a Colleague than as a servant. It was at this time he contracted a great union with L. Appuleius Saturninus, the worst citizen of Rome. It is necessary to make that man known in this place. For this purpose I proceed to relate some facts concerning him, that I have reserved till now.

The first mention made of him in history is on the occasion of his Quæstorship. His province in that office was Ostia, with commission to provide grain, of which Rome was then in want. He was a young debauchée, mad after pleasure; so that he acquitted himself very negligently of his employment. The Senate deprived him of it, and gave it to M. Scaurus. This affront touched Saturninus sensibly. He quitted voluptuousness, but only to become malignant, turbulent, and seditious:

Marius obtains a sixth Consulship by intrigue and bribery, Plut. in Mar.

Origin of Saturninus's hatred for the Senate. Cic. de Har. Resp. 43. & pro Sext. 43.

ditions : and from that instant his desire of being revenged upon the Senate was always uppermost.

*He becomes
Tribune of
the People,
and con-
tracts an
union with
Marius.*

Soon after, the 649th year of Rome, he obtained the office of Tribune : and as he had a kind of popular eloquence, he acquired credit, and served Marius, as we have related, on the occasion of his fourth Consulship. It appears, that from thenceforth he attached himself to Marius in a peculiar manner. For during this same Tribuneship, he proposed a law for distributing an hundred acres of land in Africa to each of the veteran soldiers, who had served under that General. One of his Colleagues opposed that law. But the multitude, at the instigation of Saturninus, drove him away with stones. And this was but a kind of prelude to the excesses he afterwards ran into.

*Censorship
of Metellus
Numidi-
cus, and
violent
contests be-
tween him
and Satur-
ninus.*

Oros. v.
17.

The friendship he had contracted with Marius naturally inclined him to hate Metellus Numidicus ; besides which, his vices prompted him to be the enemy of so virtuous a person. Orosius relates, that when Metellus was Censor, Saturninus had the impudence to drag him by force out of his own house, and to pursue him with arms quite to the Capitol, whether Metellus had been forced to fly for refuge. Saturninus besieged him there, and the Roman Knights were obliged to take arms, and fight to save the Censor, in which tumult abundance of blood was shed. Probably this fact is to be referred to the other contests, which Metellus had with Saturninus during his Censorship, and which was very violent.

The Censor was for excluding him the Senate, as well as Servilius Glaucia, who by the unworthiness of his conduct was the reproach of that body. But besides, another quarrel, excited also by Saturninus, occasioned a furious sedition. One L. Equitius gave himself out for the son of Ti. Gracchus,

Gracchus, and presented himself to the Censors, in order to be registered as such upon the list of the Roman citizens. Metellus opposed this; declaring, that Tiberius had but three sons, who were all dead, the one in Sardinia in the service, the other at Prænestæ, and the last at Rome; and that he could not suffer the glory of so illustrious a family to be sullied by a wretched impostor. The people, that idolized the name of the Gracchi, and were soothed with the hope of seeing it revived, broke out with great violence: stones flew about: the Censor was in danger; however he persisted in rejecting the false Gracchus. One of the Tribunes, of whose name Valerius Maximus Val. Max. iii. 8. has left us in ignorance, supported Equitius, and undertook to make Sempronia, the sister of the Gracchi, acknowledge him. He caused that lady to come into the midst of the assembly, made her ascend the tribunal for harangues, and there in the presence of that mutinous people, called upon her to acknowledge her nephew, and to give him a kiss in token of their relation. Sempronia, on this occasion, shewed a resolution worthy of her name and rank; and notwithstanding the clamours of the multitude, expressed only contempt for the person, who would falsely have introduced himself into her family. It is not known, how the affair ended. It is probable enough, that the Collegue of Numidicus, who was at the same time his cousin-german, but who did not resemble him in point of constancy, permitted Equitius to have the quality, to which he pretended, upon the publick register. It is at least certain, that he exempted Glaucia and Saturninus from the disgrace intended them, and continued them in the rank of Senators.

The Censorship of the two Metelli, Numidicus and Caprarius, was in the 650th year of Rome.

Saturninus insults the Ambassadors of Mithridates. He is tried and acquitted.
Diod. ap. Fulv. Ursin.

Saturninus soon after drew another affair upon himself, which wanted little of proving his destruction. Mithridates, so famous afterwards for his wars with Rome, formed at that time great designs against some states adjoining to his dominions. But perceiving, that he could not put them in execution, without bringing over the Romans to his interests, he sent Ambassadors to Rome with great sums, to engage the voices of the principal persons of the Senate. The only author we have for this fact, does not positively say, whether any money was given. The thing is very probable in itself. Saturninus, who thought this a good occasion for attacking the enemy with advantage, made a great noise on this head, and went so far as to insult the Ambassadors. The latter encouraged by a great number of the Senators, who promised to support them with their whole credit, laid their complaints before the Senate, who alone took cognizance of this kind of affairs. The persons of Ambassadors had always been extremely respected at Rome, and in cases like this, the violaters of the law of nations had always been delivered up to the state they had injured. Saturninus accordingly perceived the danger, to which he had exposed himself, and spared no pains to interest the People in his favour. He appeared in the habit of a suppliant, throwing himself at the feet of the citizens, imploring their aid with tears in his eyes, and endeavouring to persuade them, that it was his attachment to the interests of the People, which had drawn upon him the hatred of the Senate, and that his accusers were his judges. On the day for passing sentence, an infinite number of citizens assembled in all the

avenues

avenues to the Senate, which, probably intimidated by so extraordinary a concourse, did not dare to condemn Saturninus.

That factious man, irritated anew by the danger he had been in, verified the maxim advanced by Cato in Livy (a), that it is better not to accuse a bad man, than to put it in his power to be acquitted. From that moment he set no bounds to his frantick malignity, and breathing nothing but the fiercest vengeance, he demanded the Tribuneship a second time. Metellus Numidicus was particularly the object of his fury, and he concerted with Marius to destroy him. It was necessary to begin by securing the success of his design in respect to the Tribuneship; which admitted great difficulties: and Marius, who was then Consul, and commanded the troops, engaged to make him Tribune at any price whatsoever. However, of the ten Tribuneships, nine were given away without including him. Aulus Nonius still disputed the tenth with him, and carried it. Saturninus, to whom the greatest crimes cost nothing, followed by great numbers of the dregs of the People, and some soldiers, with whom Marius supplied him, pursued Nonius, and killed him. This was an enormous act of violence, and directly repugnant to the public liberty. However, it did not prevent Saturninus from being elected Tribune in a kind of clandestine or furtive assembly. Nobody dared to complain, and the crime remained not only unpunished, but triumphant.

Thus did Marius, who had bought the Consulship, and Saturninus, who had opened his way to the Tribuneship by murder, unite their strength and resentments; with this difference however,

(a) *Hominem improbum non accusari tutius est, quàm absolvi. Liv. xxxiv. 4.*

that the one acted openly and without disguise, and the other concealed his views.

A. R. 652.
Ant. C. 100.

C. MARIUS VI.
L. VALERIUS FLACCUS.

*Saturni-
nus pro-
poses and
passes a
new gra-
rian law.*

As soon as Saturninus was in office, he proposed several laws. But that which made the most noise was a new Agrarian law for the distribution of lands, and the establishment of different colonies. The Senate, according to custom, did not fail to oppose this pernicious largess. The people were divided about it; because most of the citizens had no interest in it, and almost none but Marius's soldiers were to have any advantage from it. At length a formal opposition of some of the Tribunes seemed of necessity to put a stop to the whole. But Ti. Gracchus had long before set the example of not regarding opposition.

*Aust. de
vir. illustr.*

Saturninus drove the opposing Tribunes out of the Forum, and made the citizens proceed to give their suffrages. Upon that the Nobility, and more considerate part of the people, cried out that thunder had been heard. The Tribune in a fury insolently replied: *It will hail presently, if you don't be quiet.* On that word, as at a kind of signal, blows ensued; and both sides armed themselves with stones and staves. The faction of Saturninus was the strongest, and caused the law to pass.

*Plut. in
Mar.*

A very unusual clause had been added to it, by which it was decreed, that after the People had accepted the law, in five days the Senate should swear to observe it, and that whoever should refuse to take that oath, should be banished. This clause was a snare laid for the openness and steddi-ness of Metellus, and Marius employed artifice and fraud to make him fall into it. He declared

*Vile arti-
fice of Ma-
rius.*

in

in the Senate, that he should be far from taking so unjust an oath; and that, in his opinion, no wise man could ever resolve to do so. *For, added he if the law be good and useful in itself, it is an injury to force the Senate to swear the observance of it, as reason ought to induce them to it voluntarily: and if bad, it is the greatest injustice to extort an oath from us, in order to compel our consent to it.* This argument was unanswerable; and the oath annexed to the law plainly manifested the injustice of the law itself. Accordingly Metellus protested absolutely, that he would never take the oath required by the Tribune. This was the very thing Marius wanted, not doubting but a declaration from his own mouth in full Senate, on a point, wherein justice and right were on his side, would be an engagement, from which nothing in the world would be able to make him depart.

The fifth day after the passing of the law, being the utmost time limited for taking the oath, Marius assembled the Senate, affecting to appear anxious and perplexed. He said, “he was very much afraid, that the People would proceed to violent extremities, if the Senate refused the oath. But that he had thought of an expedient, which would remedy every thing. That this was to swear to accept the law, in case it was law. That by this oath they would be under no real engagement; as it was notoriously known, that it had been passed by violence, contrary to the auspices, and after a clap of thunder had been heard and declared.” Every body perceived the weakness and ridicule of this subterfuge: but the fear of banishment over-ruled all other motives. Marius went out in order to take the oath, and was followed by all the Senators in general, except one. This singular person was Metellus. Whatever prayers and remon-

A. R. 652.
Ant. C. 100.

Metellus alone of all the Senators refuses to take an unjust oath. He is banished.

A. R. 652.
Ant. C. 100.

stances his friends could make to him, were to no effect: he persisted firmly in his principles, and determining to suffer all things rather than act any thing base, he quitted the forum, discoursing with those who accompanied him, and expressing himself in these remarkable words: *To do ill, is the effect of a corrupt heart: To act well, when there is nothing to fear, is the merit of a common man. But to act well in exposing oneself to the greatest dangers, is peculiar to the truly virtuous man.*

What difference there is between man and man, between Marius and Metellus! the one making ability and political wisdom consist in fraud and dissimulation; the other laying down sincerity and probity, as the sole foundations of merit and virtue: the one meditating to become the greatest person in the Commonwealth, even at the expence of honesty and virtue; and the other to be the best man in it. This contrast of characters I borrow from Plutarch.

Saturninus was not long without compleating his crime. He made the People pass a decree to enjoin the Consuls to prohibit fire and water to Metellus, and all the subjects of the Commonwealth from receiving him into their houses: this was the form of banishment. All the persons of worth, compassionating his disgrace, repaired in a crowd to him, with the resolution to defend him; but he would not suffer a sedition to arise on his account, and quitted the city, consoling his friends, and reasoning with them to this effect: *Either affairs will change, and then if the people come to themselves, I shall be recalled with honour; or they will continue in the same state, and in that case, is it not better to be removed from the sight of so many calamities?* The extraordinary marks of esteem and affection, paid him in all the places through which he passed, shews how highly a man was admired,

who had chose rather to renounce his country, than his duty. He stopt at Rhodes, where he lived agreeably, passing his time either in reading, for which he had always had abundance of taste, a great resource for an exile, or in the conyerlation of persons of worth and letters, who sufficiently abounded in that island.

A. R. 652,
Ant.C. 100.
*He retires
to Rhodes.*

In effect, banishment did not at all abate his courage; and this is evident from an expression in one of his letters, which Aulus Gellius has preserved. (a) *My adversaries, says Metellus, have prohibited themselves the enjoyment of virtue and justice. As to me, I am not deprived of the use of fire and water; and I enjoy the greatest glory.* It is plain he alludes to the prohibition of fire and water pronounced against him.

Marius, who had fomented the excesses of Saturninus, soon became the avenger of them. But it was necessary to force him to it. That seditious man, to whom he had once given the reins, tired him out with new crimes, which he committed every day. His insolence knew no bounds, as we may judge from his manner of treating Glaucia, who was however his friend, and not undeservedly. Glaucia was Prætor; and as he was trying causes in the forum at the same time that Saturninus was haranguing the people, the latter pretended, that this was a failure of respect for him in quality of Tribune, and caused his curule chair to be broke to pieces.

*Insolence
of Saturninus.*

Marius however kept fair with Saturninus, no doubt considering him as useful to his own views. He even took pleasure at first in stirring up the fire of discord between the Senate and that Tri-

*Unworthy
practice of
Marius to
exasperate
the people
more and*

(a) Illi verò omni jure at- & summâ gloriâ fruiscor. Me-
que honestate interdicti. Ego tell. apud A. Gell. xvii. 2.
neque aquâ, neque igni careo :

*more.
Plut. in
Mar.*

bune ;

A.R. 652. bunc ; and for that end acted the most unworthy
 Ant. C. 100. part it is possible to imagine. For the principal
 persons of the Senate having applied to him, to
 persuade him to take upon him the defence of the
 Commonwealth against a frantic man, that tore it
 in pieces ; he received Saturninus at the same time
 into his house by another door : and pretending an
 indisposition, that frequently obliged him to go
 out, he went to and fro from one apartment to
 the other, and behaved in such a manner, that he
 dismissed them all more incensed against each other
 than before. But Saturninus carried things to such
 an height, that Marius was at length obliged to
 renounce him.

New ex- He stood a third time for the Tribuneship, and
cesses of Sa- in order to render himself more agreeable to the
turinus. people, he also set up the false Gracchus we have
 Appian. mentioned to be his Collegue. Marius then acted
 Civil. l. 1. as became the Consul. He ordered Equitius, (the
 impostor was so called) to desist from his de-
 mand, and on his refusal committed him to prison.
 But the people, ardently fond of the name that
 wretch assumed, broke open the gaol, brought
 him away by force, and elected him Tribune with
 Saturninus. This was not all. Saturninus was for
 having a Consul devoted to his will. He cast his
 eye upon Glaucia, who was in reality the man,
 that best suited him (*a*) by a meanness of soul,
 equal to that of his birth. Glaucia could
 not legally be elected, because he was actually
 Prætor, and the laws required an interval between
 the Prætorship and Consulship. But Saturninus
 did not regard the laws. On the day of election,
 the Consuls being arrived, the orator M. Antonius
 was first elected without difficulty. The second
 place was disputed between Memmius and Glau-
 cia ;

(*a*) Summis & fortunæ & vitæ sordibus. *Cic. Brut.* n. 224.

cia; and Memmius was upon the point of being preferred. Saturninus immediately set some of the assassins in his pay upon him, who knocked him on the head upon the forum, in the presence of the whole people.

This last crime entirely ruined the Tribune. All orders of the state took fire at it. All the well-inclined citizens united to put a stop to an insolence and fury, that threatened Rome with destruction. It was impossible for Marius to protect Saturninus against the publick indignation: and as he was always ready to change sides according to his interest, he put himself at the head of the person's enemies, with whom he had hitherto always acted in concert. The Senate passed a decree, "that the Consuls C. Marius and L. Valerius should associate with themselves such of the Prætors and Tribunes of the People as they should judge proper, and defend the state, and the majesty of the Roman People, by all convenient methods." This decree gave the Consuls unlimited power. Marius employed it in all its extent. He made the citizens take arms, distributed the posts, and marched in person to the forum, where Saturninus waited for him with his followers. The forces were certainly not equal. But there was still more difference between the two parties in respect to dignity, than in respect to strength. On one side were both the Consuls, all the Prætors, except Glaucia, all the Tribunes except Saturninus, the whole flower of the Nobility, the whole order of the Knights, and the whole Senate. Two venerable old men were remarkable amongst these, M. (a) Scaurus the Prince of the Senate,

A. R. 650.
Ant. C. 100.

All orders of the Commonwealth unite against him. He is put to death.

(a) Quum armatus M. Æmilius, princeps Senatus, in Comitio constitisset, qui quum ingredi vix posset, non ad insequen-

A. R. 652.
A. U. C. 100.

Senate, who, though scarce able to walk, believed, says Cicero, that the gout, which he had in his feet, was no obstacle for him, because it only prevented him from flying; and Q. Scævola, worn out with age and infirmities, paralytic, and almost without the use of his hands and arms, who supporting himself on a pike, shewed at once the greatness of his courage, and the weakness of his body. On the other side, all was contemptible; to begin with the leaders, a factious Tribune, a Prætor, whose worthlessness was a disgrace to his office, and the false Gracchus. Next to these, almost the only persons worth mentioning, were the Quæstor Sauscius, and one Labienus, the friend of Saturninus. The rest were only the dregs of the people, a seditious mob.

The victory could not long be doubtful; and Saturninus was soon obliged to take refuge in the Capitol with those I have mentioned, and the gross of his followers. They were rendered incapable of defending themselves long, by cutting off the canals, that brought water thither. In this extremity, Sauscius, reduced to despair, proposed setting the Capitol on fire, to put an illustrious end, said he, to their noble and unfortunate enterprize, in making so august a temple their funeral pile. But Saturninus and Glaucia did not agree with him, and relying upon Marius's friendship and credit, who favoured them underhand, they sent Deputies to the Consuls, surrendered upon the public faith, and quitted the Capitol. Marius would most willingly have saved them; but it was not in his power. The populace, crying out, that they

sequendum sibi tarditatem pedum, sed ad fugiendum impedimento fore putabat. quum denique Q. Scævola, confectus senectute, præpeditus mor-

bo, mancus, & membris omnibus captus & debilis, hastili nixus, & animi vim, & infirmitatem corporis ostenderet. *Cic. pro Rabir. n. 21.*

were

were the enemies of the State, with whom no en-
 gagements could be made without the consent of the
 Senate, fell upon those that were next them, and
 that very day, destroyed all the leaders of the se-
 dition. Saturninus protested to no purpose, that
 he had done nothing without the authority and ad-
 vice of the Consul Marius. He was massacred by
 the enraged multitude, with the Prætor Glaucia,
 and the false Gracchus, who the same day had en-
 tered upon office as a Tribune, which circumstance
 gives us the exact date of this event. For the
 Tribunes began their administration on the fifth
 of December. The body of Saturninus was torn
 to pieces: and Rabirius carried his head with in-
 sult from house to house throughout the whole
 city. The slave, who killed him, was rewarded
 with his liberty, and the estates of the authors of
 the sedition were confiscated.

The memory of Saturninus had not the same
 advantage as that of the Gracchi, whom indeed he
 hardly resembled, except on the worst side. It
 was detested after his death, as his person had
 been during his life. Two remarkable facts evi-
 dently prove, that to seem to retain any esteem or
 attachment for him, sufficed for being treated as a
 criminal. One C. Decianus, in a discourse which
 he made to the people, having spoke honourably
 of Saturninus, was condemned. Sex. Titius was
 also banished, for having a picture of Saturninus
 in his house. This may seem excessive rigour:
 but Cicero did not judge it so. In speaking of
 the condemnation of Titius, he expresses himself
 as follows: “The (a) judges considered as a bad

(a) Statuerunt Equites Ro-
 mani, improbum civem esse,
 & non retinendum in civitate,
 qui hominis, hostilem in mo-
 dum seditiosi, imagine, aut

mortem ejus honestaret, aut de-
 sideria imperitorum misericor-
 diâ commoveret, aut suam fig-
 nificaret imitandæ improbitatis
 voluntatem. *Cic. pro Rabir. 24.*

“citi-

A. R. 652.
 Ant. C. 100.

*His memo-
 ry is de-
 tested.*

*Val. Max.
 viii. 1.*

A. R. 652. " citizen, as a member, that deserved to be cut
 Ant. C. 100. " off from the Commonwealth, the man, who by
 " shewing the picture of a seditious person, the
 " declared enemy of his country, expressed either
 " a desire to pay a kind of homage to his memo-
 " ry, or proposed to recite the regret or compas-
 " sion of the multitude for him ; or lastly, seem-
 " ed to think like him, and designed to follow
 " his example."

*Marius's
 faction
 prevents
 the return
 of Me-
 tellus.*

As soon as Saturninus was dead, the return of Metellus was much talked of: this was the general wish of all good men, and seems a necessary consequence of the Treatment he had suffered from the Tribune, who banished him. The faction of Marius prevented the effect of that almost universal disposition in his favour. The Tribune P. Furius, whom Metellus, in his Censorship, had deprived of the rank of Knight, opposed it in form ; and that man of the lowest condition, the son of a freedman, rejected with inflexible inhumanity the entreaties of Metellus the younger, who threw himself at his feet with tears in his eyes, to sollicite the return of his father.

A. R. 653.
 Ant. C. 199.

M. ANTONIUS.

A. POSTUMIUS ALBINUS.

Metellus was soon revenged upon Furius's arrogance. That Tribune had no sooner quitted his office, than Canuleius, one of his successors, having accused him, the people would not so much as suffer him to make his defence, and knocked him on the head upon the spot. He well deserved that unhappy end ; for he was a pernicious citizen, at first the adherent, and afterwards deserter, of Saturninus : but the violence used in regard to him, is not therefore the less to be condemned.

The

The occasion was too fair, to omit urging the recal of Metellus Numidicus. The whole house of that great man, which was so numerous and powerful, and so often honoured with the first dignities of the Commonwealth, all its relations, who were of the principal families of Rome, employed their credit for repealing the decree, by which he had been condemned to banishment. But his son had the principal glory of the success. That young man, for ever memorable for his filial affection, went from house to house in a mourning habit, shedding tears in abundance, and prostrating himself at the feet of every citizen, to solicit a favour dearer to him than his own life. Marius did his utmost to oppose the re-establishment of the person whom he had so unworthily expelled; but in vain. The People, on the motion of Calpurnius, one of the Tribunes, recalled Metellus. The (a) warm and tender affection expressed by his son on this occasion, obtained him the surname of *Pius*, as much as to say *good son, man of an excellent disposition*: a surname of less glory, but more estimable than the titles of the conquerors of nations.

Metellus was present at the celebration of games, when he received the letters, that informed him of his recal. He deferred reading them, till the shows were over. No emotions were observed in his countenance. He (b) was always the same in both fortunes; always master of himself, and superior to all passions, as his banishment had not

(a) Metellus Pius, pertinaci erga exulem patrem amore, tam clarum lacrymis, quàm alii victoriis nomen affecutus. *Val. Max.* v. 2.

(b) Eundem constat pari

vultu & exulem fuisse, & restitutum: adeo moderationis beneficio, medius semper inter secundas & adversas res animi firmitate versatus est. *Val.*

Max. iv. 1.

A. R. 653. overwhelmed him with grief, his recal was attend-
Ant. C. 199. ed with no immoderate joy.

When it was known, that he was upon the point of arriving at Rome, the Senate and People, the rich and poor, in a word, the whole city, seemed to contend who should be foremost in meeting him, and to make him some kind of reparation for the injustice committed against him. It (a) may be said, that neither offices, nor triumphs, ever did him more honour, than either the cause of his banishment, the wise conduct he observed in it, or lastly, the glory of his return.

Marius
leaves
Rome, to
avoid see-
ing the re-
turn of
Metellus.

Plut.

Marius, not being able to bear the sight of the honours, which he rightly foresaw, would be paid to his enemy, (for the homage paid to virtue is the greatest of torments to envy) had quitted the city, and embarked for Cappadocia and Galatia; alledging as an excuse, that he was going to perform the sacrifices he had vowed to the mother of the gods. We shall see in the sequel, that he had also another secret view, which was to excite and hasten the war Mithridates was suspected to meditate against the Romans; not doubting, but in that case, the command of the armies would be given to him, and consequently the occasion of acquiring new glory, and new riches. Accordingly, though that King spared nothing in his reception, and even overwhelmed him with marks and professions of honour, Marius would neither suffer himself to be softened, nor be induced to return him deference for deference, but said to him with his usual haughtiness, *King of Pontus, you must either make yourself more powerful than the Romans, or submit to their orders.* Mithridates, who

(a) Nec triumphis honoribusque, quàm aut causâ exsili, aut exilio, aut reditu clarior fuit Numidicus. *Vell. Patere. ii. 15.*

had never heard any one speak to him in such a
 stile, conceived then an idea of the Roman pride,
 which he had hitherto only known from the re-
 port of others.

S E C T, III.

*Birth of Cæsar. Antonius had triumphed over the
 Pirates. Aquillius, accused of extortion, is saved
 by the eloquence of Antonius. Oppressive exactions
 of the Roman Magistrates in the provinces. Ad-
 mirable conduct of Scævola, Proconsul of Asia.
 Human victims prohibited. Duronius is expelled
 the Senate for a very remarkable reason. The
 kingdom of Cyrene left to the Romans by will. Ser-
 torius, a military Tribune, signalizes himself in
 Spain. Praise of Crassus, and Scævola. Law
 passed by the Consuls to prevent usurping the free-
 dom of Rome without right. Scævola renounces
 the government of the province fallen to him by
 lot. Integrity and noble confidence of Crassus. Se-
 dition of Norbanus. He is summoned to take his
 trial. Character of Sulpicius. Wise advice given
 him by Antonius. Prætorship of Sylla. He ex-
 hibits a shew of a combat, with an hundred lions
 unchained. Decree of the Censors Crassus and
 Domitius against the Latin rhetoricians. Debates
 between the Censors. Luxury of the orator Cras-
 sus. Unjust condemnation of Rutilius. He goes
 into voluntary banishment. He is invited to re-
 turn to Rome by Sylla, and refuses. He had
 made himself master of all polite knowledge.*

A. R. 653.
Ant. C. 95.

M. ANTONIUS.
A. POSTUMIUS ALBINUS.

*Birth of
J. Cæsar.*

THE recal of Metellus Numidicus, and the birth of J. Cæsar, are the only events, that distinguish the Consulship of M. Antonius.

*Antonius
had tri-
umphed
over the
pirates.*

*Pigh. An-
nal ad an.
651.*

His Prætorship had been more illustrious, during which he overcame the pirates, who appear in this place for the first time in history; but of whom we shall have much to say in the sequel. He pursued them as far as Cilicia, which was their asylum and rendezvous; and some probable conjectures give room to believe, that he gained advantages over them, considerable enough to deserve a triumph. This was in the third or fourth Consulship of Marius.

A. R. 654.
Ant. C. 96.

Q. CÆCILIUS METELLUS NEPOS.
T. DIDIUS.

*Aquilius
accused of
extortion,
is saved
by the elo-
quence of
Antonius.*

Whatever honour a triumph might do M. Antonius, his eloquence made him still more remarkable both during his life, and to posterity. He gave a glorious proof of it this year in the cause of M'. Aquilius, who had terminated the war against the slaves of Sicily with equal valour and success; but who did not pique himself so much on his probity as on his courage, and whom the love of money had induced to commit many acts of injustice. He was in consequence accused of extortion. Facts were cited, witnesses produced, and proofs employed against him, that were unanswerable. He increased the danger he was in by his pride, which would neither suffer him to put on the suppliant, nor to implore the mercy of his judges. If ever cause was desperate, his was; and his condemnation seemed inevitable.

But

But his advocate was one of the most excellent orators Rome had ever produced. Antonius wanted nothing, either on the side of nature, or on that of art, which he however disguised, (a) affecting no great cultivation of mind, from the belief, that his discourse would make the greater impression on his hearers, because they would have less suspicion of him. He (b) seemed to plead without any preparation; but however was so well prepared, that his judges did not seem always sufficiently so to be upon their guard against the latent art of his pleadings. His great talent consisted in moving the passions; and never did that talent appear with greater lustre, than in a disadvantageous cause, as was that of Aquillius. It is himself, or if you will, Cicero in his name, who makes this remark. “ When (c) the judges incline in my favour, and give in of themselves to what I would have them, I take the advantage of that favourable disposition, and make all the sail I can with the wind. But when I find them indifferent and unaffected, the thing

A. R. 614.
Ant. C. 98.

(a) Antonius probabiliorem hoc populo orationem fore censebat suam, si omnino didicisse nunquam putaretur. *De Orat.* ii. 4.

(b) Erat memoria summa, nulla meditationis suspicio. Inparatus semper ad dicendum ingredi videbatur: sed ita erat paratus, ut Judices, illo dicente, nonnunquam viderentur, non satis parati ad cavendum fuisse. *Cic. Bruto*, 139.

(c) Si se dant [Judices,] & sua sponte, quo impellimus, inclinant atque propendent;

accipio quod datur, & ad id, unde aliquis status ostenditur, vela do. Sin est integer quietusque judex, plus est operis: sunt enim omnia dicendo excitanda, nihil adjuvante natura. Sed tantam vim habet illa, quæ rectè à bono poëta dicta est *flexanima atque omnium regina rerum oratio*, ut non modo inclinantem * impellere, aut stantem inclinare, sed etiam adversantem & repugnantem, ut imperator bonus ac fortis capere possit. *De Orat.* ii. 187.

* I read *impellere* instead of *erigere*, which seems contrary to all the rest of Cicero's meaning here.

A. R. 644.
Ant. C. 93.

“ is more difficult : for then the orator must pro-
 “ duce, or in a manner create anew, by the pure
 “ force of eloquence, all the sentiments he has
 “ occasion to excite, without the aid or favour of
 “ any previous disposition, independent of him-
 “ self. However, I do not despair. For elo-
 “ quence, which a good poet justly styles, *the*
 “ *mistress of the affections of the mind, the queen*
 “ *that exercises absolute dominion over mankind*, elo-
 “ quence has an invincible force, that nothing
 “ can resist. Little satisfied with itself, when it
 “ has only to give the bent, to which men are
 “ already inclined, or to overcome their unmoved
 “ indifference ; it glories in bearing down all be-
 “ fore it, notwithstanding their resistance, and in
 “ compelling them by victorious efforts to sur-
 “ render their arms.”

It was in this manner Antonius pleaded the cause, of which I am now speaking. After having made the most in his discourse of all that could be said in favour of Aquillius, when he was going to conclude, he seized him by the arm, made him rise up, tore open his vest before, and shewed the judges the scars of the glorious wounds he had received in different battles. He also expatiated very much upon another wound, which had been given him last of all in the head by Athenion, that brave chief of the revolted slaves.

It is easy to conceive what effect such a sight must have produced upon the minds of the judges, when attended with strong and pathetic expressions, that argued an heart highly touched with grief and commiseration. “ I could not, says
 “ he (a) have excited these sentiments in others,
 “ if

(a) Nolite existimare—
 quum mihi M'. Aquillius in
 civitate retinendus esset, me,

quæ in illa causa peroranda
 dixerim, sine magno dolore
 fecisse. Quem enim ego Con-
 sulem

“ if I had not been highly affected with grief A. R. 654.
Ant. C. 98.
 “ myself. And how could I be otherwise, when
 “ I saw a man, not long before honoured with
 “ the Consulship, the command of armies, and a
 “ triumph, in affliction, humiliation ; in danger
 “ of losing his honour and his country, and re-
 “ duced to the most deplorable state in the world ?
 “ Marius, who was present, and shewed the
 “ concern he was in, in respect to the sentence,
 “ that was upon the point of being passed, was a
 “ great assistance to me, and much inforced my
 “ discourse by the tears he shed. I frequently
 “ addressed myself to him, recommending to him
 “ a friend and ancient Colleague, and representing,
 “ that the cause I pleaded was the common cause
 “ of all Generals of armies. I implored the aid
 “ of gods and men, of citizens and allies, in fa-
 “ vour of my client ; and in all I said, I intro-
 “ duced a reality of passion, a grief of heart,
 “ without which my discourse so far from moving,
 “ would have been laughed at.”

The success answered the wishes and hopes of the pathetic orator. “ The (a) judges, says Ci-

U 3

“ cero

sulem fuisse, Imperatorem ornatum à Senatu, orantem in Capitolium ascendisse meminissim, hunc quum afflictum, debilitatum, morientem, in summum discrimen adductum viderem, non prius sum conatus misericordiam aliis commovere quam misericordiâ sum ipse captus—

Quum C. Marius mœrorem orationis meæ præsens ac sedens multum lacrymis suis adjuvaret, quumque illum ego crebrò appellans, collegam ei suum commendarem, atque ipsum advocatum ad communem

Imperatorum fortunam defendendam invocarem : non fuit hæc sine meis lacrymis, non sine dolore magno miseratio, omniumque deorum & hominum & civium & sociorum imploratio. Quibus omnibus verbis, quæ à me tum sunt habita, si dolor abfuisset meus, non modo non miserabilis, sed irridenda fuisset oratio mea. *De Orat.* ii. 194, 195, 196.

(a) Eo adduxit eos, qui erant judicaturi, vehementer ut vererentur, ne quem virum fortuna ex hostium telis eripisset

A. R. 654.
Ant. C. 98.

“cero in one of his orations, were afraid, that if
“they condemned a person whom fortune had
“preserved from the swords of the enemy, and
“who had not spared himself for the safety of
“the State, he would seem to have escaped so
“many dangers, less to be the ornament and
“glory of that empire, than a victim to the
“merciless rigour of the judges.” Aquillius was
acquitted, and gaining the cause acquired his de-
fender universal admiration. I have dwelt the
more willingly upon this fact, as Livy had men-
tioned it, which appears from Epitome LXX.
Besides which, it is not useless, even to history,
to observe in so famous an example as this is, that
the manner of pleading amongst the Romans was
very different from ours; and that if ours be more
close, precise, and confined to arguments and
proofs, theirs, by taking in a greater field, gave
room at the same time for greater strokes of elo-
quence.

It might perhaps have been desired for the good
of the provinces, that Antonius’s eloquence had
not made so great an impression upon Aquillius’s
judges; and that the accused had undergone the
sentence his extortions deserved, in like manner
as he had received a triumph as the just reward of

*Extortions
of the Ro-
man Ma-
gistrates in
the pro-
consul.*

Diod. ap.
Valef.
l. xxxvi.

his valour and services. For the avidity of the
Roman Generals and Magistrates increased from
day to day, and the subjects of the empire were
exposed to all kinds of oppressions from them.
These excesses were practised with greater licence,
as the Roman Knights, who had the sole admini-
stration of justice in Rome, were interested in fa-
vouring them. For the publicans, or tax farmers,

possidet quum sibi non peper-
cisset, hic, non ad popu i Ro-
mani laudem, sed ad Judicium

crudelitatem videretur esse
servatus. *In Ferr. v. 3.*

as we have already observed more than once, were of the order of Knights. In consequence the Proconsuls and Proprætors, by overlooking the avidity of the publicans in the provinces, were sure of gratifying their own with impunity, as their judges at Rome were the friends, partners, and associates of those, they supported in their oppressions.

A. R. 644.
Ant. C. 98

There were still however some amongst the Roman Magistrates, who did not suffer themselves to be carried away by the torrent of bad example, and who even thought it for their honour to oppose it. History gives us two of this kind at the time, of which we are speaking, though it is not easy to determine exactly the year they governed their happy provinces.

The first is Q. Mucius * Scævola, who was sent Proconsul into Asia. His first care was to chuse an excellent Lieutenant-General, the virtuous Rutilius, who was his friend, and principal counsellor. Integrity and incorruptibility are the least virtues, that deserve praise in Scævola. He scarce exacted the sums from the provinces, that custom admitted him to levy for the support of himself and his household. He found a better resource, which was that of a frugal simplicity. But what did him the greatest honour, was, notwithstanding the enormous credit of the Roman Knights, his generously attacking the publicans, who had committed oppressions, and punishing them with strict justice. He gave ear to the complaints brought against them, and if they were proved, condemned them to make the injured amends; and to reduce them to do so, gave them

*Admirable
conduct of
Scævola,
Proconsul
of Asia.*

* This is Scævola the Pontiff, who must not be confounded with Scævola the Augur, of whom we have spoken elsewhere.

A. R. 634.
AUL. C. 98.

up according to the Roman laws to their adversaries. It was a very unexpected and grateful sight to all Asia, to see those haughty oppressors dragged to prison in their turn by those they had robbed. If he treated the masters in this manner, we may reasonably believe, that their inferior officers, who were commonly only slaves, were not spared. One of these, who was a kind of principal agent to them, Scævola ordered to be crucified, though he had already negotiated his liberty with his masters, and was ready to pay the price for it. By this conduct he regained the Roman People the affection of the Asiatics; and acquired it so much for his own person, that according to an impious custom, though authorized by idolatry, they established a festival in honour of him, which was called *the Mucian feast*. The Senate afterwards proposed the conduct of Scævola to Proconsuls, as the model by which they should direct themselves. We shall soon see in what manner the Roman Knights revenged themselves upon Rutilius; probably not having occasion to do so upon Scævola.

Cic. in
Verr. ii.
51.

Val. Max.
viii. 15.

And of
Sempronius
Asellio,
Prætor of
Sicily.
Diod. ib.

The second example which I am to relate, is that of L. Sempronius Asellio, Prætor of Sicily. To give an idea of the wisdom of his government in a word, it suffices to say, that he was the worthy imitator of Scævola. But one circumstance, which highly merits our notice, is his peculiar attention in protecting the weak. Other Prætors gave guardians to young persons and women, who had no near relations. As to him, he made himself the guardian of all those who had none; and taking care of their affairs personally, preserved them from oppression. In a word, by being the avenger of all injustice, publick or private, he restored those happy times in Sicily, of which it had almost lost the remembrance.

CN.

CN. CORNELIUS LENTULUS.

A. R. 655.

P. LICINIUS CRASSUS.

Ant. C. 97.

The second of the two Consuls of this year is, the father of the famous Crassus one of the first Triumvirate with Pompey and Cæsar.

A decree of the Senate was passed under these *Human* Consuls, to prohibit human sacrifices. For hi- *victims* therto, to the disgrace of human nature, and of *prohibited.* the Roman nation in particular, those abomina- *Plin. Hist.* ble sacrifices had been practised at Rome by the *Nat. xxx.* publick authority. This is the first time they were forbade; nor did this prohibition suffice to abolish them. If we may believe Dio, Cæsar *Dio. 1.* revived them: and Pliny tells us, that the age in *xlili.* which he lived, had more than once been witness *Plin.* of them. *xxvii. 1.*

A resolution having been taken for creating *Plat* Censors, every body expected that Marius, who was then returned to Rome, would stand for that office. But since the affair of Saturninus, his credit was so much declined both with the Nobility and People, that he was afraid to present himself for fear of being rejected. He however gave the thing a turn to his advantage, in saying, that he was unwilling to render himself odious by the severity, the Censorship would have made incumbent upon him. M. Antonius and L. Valerius Flaccus were elected Censors.

The particulars of their conduct in that office *Duronius* is not come down to us. All that we know is, *is expelled* that they nominated M. Æmilius Scaurus Prince *the Senate,* of the Senate, and struck M. Duronius out of *for a very* the list of the Senators, because when he was Tri- *remark-* bune of the People, he had repealed the * law for *son.*

* The last law of this kind was the law Licinea, of which we have spoke in Vol. VIII.

A. R. 65.
Ant. C. 97.

moderating the expences of the table. Valerius Maximus places the unworthiness of this Tribune's behaviour in all it's light. He tells us, that he attended the Tribunal of harangues, to make the following complaints to the People: *A check is laid upon your luxury, Romans, which you ought not to endure: your liberty is laid under a restriction, that should be insupportable to you. A law is made to oblige you to be frugal. We cancel and annul that decree, as favouring of the rust of rude and savage antiquity. For, in a word, of what use is liberty to you, if you are not permitted to perish by luxury, as you desire it?* The sense of the discourse held by the Tribune for abolishing the law in question, must indeed have been to this effect.

A. R. 656.
Ant. C. 96.

CN. DOMITIUS AHENOBARBUS.
C. CASSIUS LONGINUS.

The king-
dom of Cy-
rene given
to the Ro-
mans by
will.

The Roman greatness increased by every kind of method. We have seen Attalus Philometor, King of Pergamus, bequeath his dominions to the Romans by will. This year Ptolomæus Apion did the same. He was the natural son of Ptolomæus Physcon, King of Egypt, who at his death had provided for his establishment, by giving him Cyrenaica and the adjacent countries. This partition of the kingdom of Egypt was to have ceased, as it seemed, after the death of the person, for whom it had been made. Apion preferred the Romans, and thereby diminished the power of the Ptolomies, which was not a little declined already from domestick divisions and civil wars. The Romans gave the cities lately bequeathed to them liberty. They were inhabited by Greeks, to whom such a present was infinitely agreeable; and the Romans thereby avoided the suspicion of avidity.

T. Di-

T. Didius, who had been Consul in 654, had made war during two years after in Spain with considerable success. But we should have been entirely ignorant of all that had passed during his command, if Sertorius had not served under him as Tribune of the soldiers. That has preserved us a fact related by Plutarch, in which we shall discern the genius of Sertorius, who was a man of great presence of mind, and knew how to unite stratagem with boldness.

A. R. 656.
Ant. C. 96.
Sertorius,
a military
Tribune,
signalizes
himself in
Spain.

He was in garrison at Castulo, a city situated upon the Bætis, or *Guadalquivir*, and famous in history from the time of the war with Hannibal. The Roman soldiers living in great plenty, made an immoderate use of it, and gave themselves up to wine and every kind of excess. The inhabitants of Castulo took advantage of this dissolute negligence. They applied to the Gyrifæni, their neighbours and allies, and having obtained aid from them, which they secretly introduced into their city, they fell upon the Romans, of whom they killed a great number. Sertorius escaped, and having assembled all those who had found means to quit the place, he went round it to the gate where the succours had entered. The Barbarians had not taken the precaution to post a guard there. Sertorius seized and left a party in it, and falling upon the Spaniards, put them all to the sword.

This was not all. He made the Romans put on the habits of those they had lately killed, and led them immediately to the city of the Gyrifæni. The latter, deceived by the Spanish habits, believed them their own citizens and allies, returned with victory, and opened their gates to them. Sertorius killed abundance of them, and sold the rest, who surrendered at discretion; and in this manner not only recovered a city, which had been

A. R. 656. been almost lost to the Romans, but added a new
 Ant. C. 96. conquest to it.

A. R. 657.
 Ant. C. 95.

L. LICINIUS CRASSUS.

Q. MUCIUS SCÆVOLA.

Praise of
Crassus
and Scævola.
 Anc. Hist.
 X. XII.

The two Consuls of this year are extremely illustrious. The one was the orator Crassus, whose eloquence is so much celebrated by Cicero. I have spoke of him elsewhere with sufficient extent. The other is the same Scævola, whose admirable conduct in the Proconsulship of Asia I have related just above. They lived in great friendship, and had been Collegues in all the great offices, except the Tribuneship, which Scævola had not exercised, till a year after Crassus. They resembled each other very much in their talents. For they were (*a*) both orators and lawyers, but with this difference; Scævola excelled most in the knowledge of law, and Crassus in eloquence. The same was observed in every thing else. They were (*b*) alike in all things, uniting in themselves, but in an unequal degree, qualities that balanced each other, so that it was hard to know, to which to give the preference. Crassus, of all those, who were studious of elegance and the ornaments of speech, was the person who employed both with most moderation and reserve; and Scævola, of those who piqued themselves upon being sparing and reserved in respect to ornaments, gave most

(*a*) Eloquentiam jurisperitissimus Crassus, jurisperitorum eloquentissimus Scævola putabatur. *Cic. Brut.* 145.

(*b*) In reliquis rebus ita dissimiles erant inter sese, statuere ut tamen non posses, utrius te malles similiorem. Crassus

erat elegantium parcissimus, Scævola parcorum elegantissimus. Crassus in summa comitate habebat etiam severitatis satis; Scævola multa in severitate non deerat tamen comitas. *Id. ibid.* 148.

elegance

elegance to his stile. Crassus united a serious, and something severe, air, with great natural politeness: Scævola tempered the severity, which was natural to him, with polite and insinuating behaviour.

A. R. 657.
Ant. C. 95.

The Consulship of these two great men furnished us no other considerable event, except a law, which they passed in concert, to prevent usurping the freedom of Rome, which abundance of Latines and other Italians had assumed, without any legitimate title or pretence. It had long been necessary to obviate frauds of this nature, that multiplied exceedingly. I have related the precautions, which were taken to remedy this abuse in the Consulship of C. Claudius and Ti. Sempronius, A. R. 575. The thing was carried much farther by M. Junius Pennus, Tribune of the People, who in 626, passed a law to oblige all persons, who were not citizens, to quit Rome; a cruel law (a), a law contrary to humanity, which C. Gracchus, then very young, opposed with all his might, but ineffectually. The law of our two Consuls was wise. It is unjust, and contrary to good order, that those, who are not citizens, should pass themselves for such: and this was all that it prohibited. It was however charged with having hurt the Commonwealth, and occasioned the revolt of the states of Italy, and the war with the allies. But the evil was of more ancient date, and had a deeper root.

Law passed by the Consuls to prevent usurping the freedom of Rome.

Vol. VII.

Cic. pro. Cornel. & ibi Ascon.

We do not know what province fell to Scævola. But he renounced it. He could not add any thing to the glory he had acquired in his government of Asia.

Scævola renounces the government of a province fallen to him by lot.

(a) *Esse pro cive qui civis non sit, rectum est non licere: quam legem tulerunt sapientissimi Consules, Crassus*

& Scævola: usu verò urbis prohibere peregrinos, sanè inhumanum est. Cic. de Offic. iii. 47.

Crassus,

A. R. 657.
Ant. C. 95.
*Crassus de-
sires a tri-
umph in
vain.*

Crassus, after the year of his Consulship was elapsed, went to Gallia Cisalpina, which was his province; and all his wisdom was not proof against the desire of a triumph. He checked the incursions of some mountaineers, who from time to time infested the low country. But his exploits were neither considerable, nor the war itself very necessary; if it be true, as (a) Cicero elegantly says, that he was almost for fencing with the rocks of the Alps; and sought matter of triumph, where there was no enemy. Accordingly he demanded a triumph, and his credit was so great in the Senate, that he would have obtained it. But Scævola's austerity interposed. Though he was his friend and colleague, he preferred the honour of the Commonwealth to private ties, and prevented his demand from being granted.

*Integrity
and noble
confidence
of Crassus.
Val. Max.
iii. 7.*

For the rest, Crassus acted in his government with the utmost virtue and integrity. And Carbo, the son of him he had accused and caused to be condemned, coming into Gaul to be a spy upon his actions, that wise Magistrate was so far from fearing him, that he assigned him a place by his side on his tribunal, and gave judgment on no affair, except in his presence, and before his eyes: a noble confidence, and more for his honour than his great talents!

*Sedition of
Norbanus.*

Whilst Crassus was at Rome, and still Consul, the Tribune Norbanus excited a violent sedition there, by accusing Cæpio before the people. I have related the particulars of it above, and the event in respect to Cæpio. This affair had consequences to Norbanus, of which I am going to give an account.

(a) L. Crassus, homo sapientissimus nostræ civitatis, spiculis prope scrutatus est Alpes;

ut ubi hostis non erat ibi triumphi causam aliquam quæreret. *Cic. in Pis. 62.*

C. COELIUS CALDUS.

A. R. 658.

L. DOMITIUS AHENOBARBUS.

Ant. C. 94.

Under these Consuls, Norbanus was cited to *Norbanus* take his trial, as guilty of high-treason, by the *cited to a* fedition, of which he had been the author. *Histo-trial.* rians are allowed to describe battles between Generals in the field ; and wherefore should they not be also indulged in relating conflicts of another kind, but not less affecting and instructive to a great number of readers ? I mean those of eloquence between the most illustrious orators of antiquity. We are going to see one, of which Cicero has explained to us the whole art and address. Sulpicius was the accuser of Norbanus, whom Antonius defended. What has hitherto been said of Antonius, suffices for our knowledge of him.

Sulpicius was then very young. He was de- *Character* signed by nature to be a great and sublime orator. *of Sulpicius.* He had fire, vehemence, and elevation of mind. *Cic. de Orat. i. 131, 132.* As to all the parts, that constitute the eloquence of the body, a happy and noble physiognomy, the graces and dignity of action, a sweet, and at the same time a strong voice ; all these advantages he possessed in an eminent degree. But let us hear what Antonius is going to say of him. “ I *Wise advice of Antonius to Sulpicius.* “ heard Sulpicius plead, whilst very young, a “ cause of no great consequence ; and was charm- “ ed with him. His elocution only seemed to “ have a little too much of the vivacity of his *Ibid. 88,* “ years : it was bold and too luxuriant. This *89.* “ did not disgust me : for I desire and love that “ abundance of thoughts and expressions in a “ young man, though it exceeds bounds, and in “ a certain degree departs from justness and propriety. Finding his genius so happy, I strongly “ ex-

A. R. 658. “ exhorted him to cultivate it with care ; to con-
 Ant. C. 94. “ sider the bar as the best school in which he
 “ could form himself ; and to make some one of
 “ the most illustrious orators his model ; adding,
 “ that, if I might advise him, he would make
 “ choice of no other but Crassus. He took my
 “ advice, and told me out of politeness, that he
 “ also desired to have me for his master. A
 “ year was scarce elapsed after this conversation,
 “ when he accused Norbanus, whose defence I
 “ took upon myself. I cannot express the change
 “ I observed in what he now was, from what he
 “ had been but a year before. His genius natu-
 “ rally led him to that lofty and magnificent
 “ kind of eloquence, which we admire in Cras-
 “ sus : but he would not have attained to it, if
 “ to his happy faculties, he had not added assid-
 “ uous application ; and in pleading had not em-
 “ ployed his whole attention in imitating the ex-
 “ cellent model he had proposed to himself.”

We see here the great use, of which senior ora-
 tors of the first rank may be to those, who enter
 upon the noble profession of the bar : and in my
 opinion it is matter of great consolation of them,
 to see a shining and laborious youth tread in their
 steps, by improving, from their advice, and fol-
 lowing their example.

I come now to the cause of Norbanus, upon
 which Antonius explains himself admirably. He
 had insisted much upon this fundamental maxim
 in eloquence, that the orator himself should be
 strongly moved, if he would move others : after
 which he proceeds in the following manner, ad-
 dressing himself to Sulpicius. “ But what need
 “ I observe this to you, you, who when you set
 “ up for the accuser of Norbanus, who had been
 “ my Quæstor, so strongly animated the Judges,
 “ not only by the energy of your discourse, but
 “ still

“ still more by the warmth of the sentiments of A. R. 658.
 “ grief and indignation with which you seemed Ant. C. 94.
 “ penetrated, that I was almost afraid to attempt
 “ to extinguish the kind of flame you had kind-
 “ led in the minds of all that heard you?

“ Indeed, in the cause you pleaded, every
 “ thing favoured you. You laid before the
 “ Judges matters of truly great import; a pub-
 “ lick violence, an assembly obliged to disperse
 “ by flight, stones discharged in volleys by the
 “ seditious, a cruelty that rose to excess against
 “ the unfortunate Cæpio, the most illustrious ci-
 “ tizen of Rome, the Prince of the Senate
 “ (Scaurus) wounded by a stone; and lastly,
 “ two Tribunes of the People driven by force
 “ from the tribunal of harangues: all this seemed
 “ atrocious, and could not be denied. Besides
 “ which, the laudable zeal professed by so young
 “ a man as you, for the good order and honour
 “ of the Commonwealth, was generally applaud-
 “ ed: whereas it seemed scarce consistent for an
 “ old Censor, as I was, to defend a seditious citi-
 “ zen, and one who had taken upon him to in-
 “ crease the misfortune of a person of Consular
 “ dignity. We had excellent citizens for our
 “ judges: the publick place was full of persons
 “ of worth; so that it was not without great dif-
 “ ficulty I was allowed some shadow of excuse,
 “ on account after all, that the person I defended
 “ had been my Quæstor.

“ It was in this disposition of mind I found
 “ every body. Whether there was art, or not,
 “ in my discourse, you will judge. As to me,
 “ I shall content myself with relating what I
 “ did. I ran over all the different kinds of se-
 “ ditions that had disturbed the Commonwealth,
 “ tracing them back to the most remote times:
 “ I did not palliate their inconveniences and dan-
 Vol. IX. X gers;

A. R. 638.

Ant. C. 94.

gers; and concluded, that indeed all these seditions had been unhappy; but that some ought however to be considered as just and necessary. I shewed, that the Kings could neither have been expelled, Tribunes created, limitations given to the Consular power by the decrees of the People, as had been so often done, nor the right of appealing to the People instituted, that right, which may justly be termed the asylum of the citizens, and the bulwark of liberty, without a strong resistance on the side of the Nobility, attended with violent commotions. That consequently, if all these seditions had been salutary to the Commonwealth, tumultuous commotions excited by the People on the affair in question ought not to be imputed, without strict enquiry, to Norbanus as a capital crime.

After this first step, I proceeded to a second. I added, that if it were allowed, that the People, on some occasions, had just reasons for violence and insurrection, as could not be denied, they certainly never had a more legitimate cause for them than in the present case. In this place I gave a loose to my genius: I inveighed strongly against Cæpio's shameful flight: I deplored the loss of the army. I thereby revived the grief, and opened the wounds of those, who lamented their relations killed in that unfortunate battle: and at the same time I reanimated, and supported with the motive of publick good, the hatred of the Roman Knights, our judges, for Cæpio, who had desired to divest them, at least in part of the administration of justice.

When I perceived, that I had gained the ascendant of my audience, and that the judges seemed to have become favourable to my cause;

“ to

“ to the warm and vehement passions I had hi-
 “ therto employed, I substituted mild and more
 “ soothing sentiments. I represented, that my
 “ all was now in question: that I spoke for a
 “ friend, who having been my Quæstor, accord-
 “ ing to the maxims of our ancestors, ought to
 “ be as dear to me, as if he were my own son.
 “ That after having frequently been of some ser-
 “ vice to unknown persons, with whom I had no
 “ other tie than that of being citizens of the same
 “ state, it would be equally afflictive and shame-
 “ ful to me, not to have it in my power to lend
 “ the like aid to a man with whom I had so
 “ strict an union. I desired the judges, that they
 “ would suffer themselves to be moved out of
 “ consideration for my age, the offices with which
 “ I had been honoured, the services I might have
 “ rendered the Commonwealth, and lastly, with
 “ the just and tender sorrow, with which they
 “ saw me so much affected: that they would not
 “ refuse me the first grace, I had ever asked
 “ them personally for myself, having never used
 “ my interest for other accused persons I had de-
 “ fended, but as for my friends, whereas at pre-
 “ sent I considered the danger as my own.

“ I managed this cause therefore in a manner
 “ that might seem contrary to the rules of art,
 “ but with success. I touched but lightly upon
 “ the crime of treason to the state, which was
 “ the chief point of the charge. The whole
 “ weight of my argument turned upon the pas-
 “ sions and manners; that is, I confined myself
 “ on one side, to revive the sentiments of hatred
 “ against Cæpio with vehemence; and on the
 “ other, to conciliate the affection of the judges
 “ to myself, by expressing the character of a ten-
 “ der and faithful friend. It was in this manner
 “ Sulpicius, that by rather moving the heart,

A. R. 6:8. "than convincing the reason, I triumphed over
Ant. C. 94. "your accusation."

This account of Antonius is further cleared up and confirmed by Sulpicius's answer. "Nothing
" is more true, said he to Antonius, than what
" you have now related. For if ever I thought
" myself secure of success, it was on this occa-
" sion, in which I however saw it escape on a
" sudden out of my hands. When, after having
" kindled what you call a flame in the minds of
" the judges, I left you to speak: great gods,
" what an introduction was yours! What fear,
" trouble, hesitation, even to the syllables of your
" words, did you express! In what a manner
" did you lay hold of the only circumstance, that
" could serve you as some excuse, the strict union
" established by our laws and customs between a
" Consul and his Quæstor? With what address
" did you take the advantage of that point, for
" attaining a favourable beginning with the
" Judges! I however was not discouraged, ima-
" gining that all you would be able to gain by the
" fine and exquisite turns of an artful discourse,
" was, that in favour of your particular engage-
" ments with Norbanus, you would be excused
" for taking upon you his defence, and for charg-
" ing yourself with a bad cause. But I was soon
" undeceived. You did not confine yourself to
" that; but insensibly insinuating yourself into
" favour, you carried your pretensions much far-
" ther. Nobody perceived it yet: but I began
" to fear in earnest, when I saw you give the
" cause a turn, by the means of which all that
" had passed was no longer a sedition, but an
" effect of the just wrath of the Roman People.
" What arguments did you not employ against
" Cæpio! What abhorrence and indignation did
" your discourse not breath against the author of
" a bloody

“ a bloody defeat; and at the same time what
 “ commiseration, as well for the Commonwealth,
 “ as for the individuals who had perished in the
 “ battle! In the same manner you treated every
 “ thing that related to Scaurus and my other wit-
 “ nesses, not by refuting their depositions, but by
 “ ascribing the whole to the well-grounded re-
 “ sentment of the People.”

Norbanus was in consequence acquitted, and the eloquence of Antonius again saved a criminal from the punishment he deserved. The Judges at Rome seem to have considered themselves next to absolute masters of the fate of the accused, rather than as slaves to the law. And happy it was, when their caprice disposed them to afford a criminal grace, and not to destroy an innocent person.

The orator's address is however laudable in itself; and I thought I might be allowed to give it a place here, the rather, as facts purely historical are absolutely wanting at this period. It may serve both as a caution against the like artifices, and an example, in case of defending a good cause, but one compounded with, and obscured, by odious prejudices. In this light let me be indulged to make the following comparison.

It were undoubtedly to be desired, in order to form young Noblemen intended for the profession of war, that the great Generals, who, by the consent of the publick, have distinguished their superior merit in it, would take the trouble, after events are passed, to give us with their own hands the general plan of a campaign, conceived and contained in the head of only one person, the remote measures taken for a siege or a battle, the profound secrecy that prevented them from coming to the enemy's knowledge, the true causes of the success or miscarriage of an enterprize; and many

A. R. 638.
Ant. C. 94.

other the like circumstances, which, properly speaking, are the soul both of an action and an history. And it is less useful for young advocates and persons intended for the bar, to be taught from his own mouth by one of the most famous orators of the ancient world, the whole art he used, and all the secret springs he employed, in a cause bad indeed, but which the best may resemble in point of difficulty? Is there any system of rhetorick comparable to such observations? Accordingly (a) Sulpicius, who had earnestly entreated Antonius to give him precepts of eloquence, confesses, that the explanation he had been pleased to repeat of what he practised himself in his pleadings, was infinitely more useful than all the precepts in the world *.

A. R. 639.
Ant. C. 95.

C. VALERIUS FLACCUS.
M. HERENNIUS.

Prætor-
Jury of
Sylla.

Sylla, of whom nothing is said in history from the battle with the Cimbri, in which he served under Carulus, is now to appear again upon the stage, where he will have a principal part to the end of his life. He was a Prætor this † year or the next. But, what is singular, this man, destined in a short time to see the whole Roman Empire subjected to his sway, found it sufficiently difficult to obtain the Prætorship; and he did not get it till he had experienced a refusal. He endea-

(a) Quæquum abs te modò commemorarentur, equidem nulla præcepta desiderabam. Illam enim ipsam demonstrationem defensionum tuarum abs te ipso commemoratam doctrinam esse non mediocrem pato. *Gr. ii. de Or. 204.*

* Here Monsieur Rollin's manuscript ends.

† Pighius and Freinshemius date Sylla's Prætorship in this year. Something Well. Patere. says, ii. 15, seems to make it a year later.

voured

voured in the memoirs, which he wrote of his life, to disguise the true cause of this repulse, by saying, that the People were for forcing him to stand for the Ædileship, because those who had that office were obliged to exhibit games, and they expected very magnificent ones from him in effect of his correspondence with Bocchus. According to Plutarch, the truth is, he conceived, that he should carry the suffrages irresistibly by the mere recommendation of his name and merit. He was mistaken. The People would be solicited, and often even paid. Sylla taught by experience, stood again after the delay of one year, and partly by popular behaviour, which he well knew how to employ, and partly by money, he obtained the Prætorship. Accordingly in a quarrel, which he had with Cæsar Strabo, a man of wit, praised by Cicero for his pleasantry and facetiousness, as he threatened him with using the power of his office: *Right*, replied Cæsar laughing, *it is your office indeed; for you bought it and paid for it.*

For the rest Sylla gratified the People in respect to the shews. He exhibited a combat of an hundred lions, which Bocchus had sent him from Africa, with people of the country accustomed to fight with those terrible animals. And as in this kind of games the danger increases the pleasure and admiration, it is observed, that Sylla was the first, that made lions fight without chains, whereas till then precaution had been taken, prudently no doubt, not to fight those beasts without their chains.

He exhibits a combat with an hundred unchained lions.
Plin. viii. 16. & Sen. de brev. vit. c. 13.

This year the poet Lucretius was born.

A. R. 660.
Ant. C. 92.

C. CLAUDIUS PULCHER.
M. PERPENNA.

Plut. *ibid.* Sylla, after having passed the year of his Prætorship in Rome according to custom, was sent into Cappadocia to set Ariobarzanes upon the throne, who had been lately elected with the approbation of the Romans. These facts will be related elsewhere with more extent. Sylla succeeded in this without much difficulty, and settled Ariobarzanes in possession of Cappadocia.

Whilst he was near the Euphrates, he received an Ambassador from the King of the Parthians. Hitherto that nation had never had occasion to differ with the Romans: and it has been reckoned amongst the instances of Sylla's good fortune, that he was the first Roman, to whom the Parthians applied in order to treat of amity and alliance. In the interview he behaved with an haughtiness, which seems not to have displeased at Rome, but however was not generally approved. Having caused three chairs to be set, he placed himself in that in the middle between King Ariobarzanes and Orabazus. That was the Ambassador's name, whom it cost his life at his return to his master, for having so ill sustained the honour of the nation.

Decree of the Censors At Rome the orator L. Crassus was Censor with Cn. Domitius Ahenobarbus. These Censors passed a decree against the Latin rhetoricians, who began to increase in the city, whereas before there were none at Rome but Greek rhetoricians. The Latin rhetoricians had in former times experienced the like treatment. But the utility of their instruction, and the taste of the publick, had supported them against the authority of the Magistrates. The Greek schools in consequence enjoyed entire liberty,

berty, when the Censors, of whom we are speaking, undertook to shut up the Latin, which were an innovation. Suetonius has preserved the substance of their decree, which I shall insert here, though it has already been repeated in the Ancient History. “ We have been informed, that there
 “ are persons, who, under the name of Latin
 “ rhetoricians, have set up a new form of studies
 “ and exercises, and that youth assemble in their
 “ schools, and pass whole days therein with little
 “ benefit. Our ancestors have instituted what it
 “ was proper for their children to learn, and to
 “ what schools they should go. These new establishments, contrary to the customs and usage
 “ of our ancestors, cannot be pleasing to us, and
 “ seem contrary to good order. Wherefore we
 “ think it incumbent on us to make known our
 “ opinion, as well to those who have opened these
 “ schools, as to such as frequent them, and to declare to them, that we disapprove of this innovation.”

This decree, though conceived as it seems in terms mild enough, however prohibited the Latin schools : and it is impossible not to be surprized to see the most eloquent man of his age, proscribe an institution, that seems so conducive to the progress of eloquence. For what could be more useful or wise, than early to form youth in writing a language, they were to use during their whole lives ? And accordingly Crassus, in justifying himself to Cicero concerning this decree, does not condemn the thing itself : he only (a) taxes these new masters with incapacity, “ who, says he, “ teach their disciples nothing but boldness, a

(a) Hos magistros nihil intelligebam posse docere, nisi ut auderent ; quod etiam cum

bonis rebus conjunctum, per seipsum magnopere est fugiendum. *De Orat.* iii. 94.

A. R. 650. “ dangerous quality even with knowledge, but
 Ant. C. 92. “ much worse when joined with ignorance.”

Cicero perhaps puts his own opinion into Crassus's mouth. However it be, if the Latin rhetoricians were suspended by this severe decree, they soon after reinstated themselves: there were abundance of Greek and Latin schools of eloquence in Rome, and youth were accustomed to compose in both languages; a very useful exercise, and perhaps indispensibly necessary for a nation, who had received all their knowledge from the Greeks, and to which in consequence it was necessary on one side to keep up a commerce with its masters, to prevent falling again into ignorance; and on the other, to transfer all this foreign learning into their own language, that it might be of more general advantage.

*Debates
 between
 the Cen-
 sors.*

It does not appear that the Censorship of Crassus and Domitius was either of great utility to the Commonwealth, or reflected much honour upon themselves. It passed almost entirely in quarrels and disputes between them, the source of which was their difference of character. Domitius was simple and rough; Crassus, on the contrary, gave into an elegance of living, that came very near luxury, and scarce left him authority to condemn excesses, of which himself set the example.

*Luxury of
 the orator
 Crassus.
 Plin.
 xvii. 1.*

His Colleague reproached him in particular with his house, which was one of the most magnificent of Rome: and he insisted principally upon the article of six trees, which Pliny calls * *Lotus*, that gave a very thick shade. Shade must either have been very dear, or money prodigiously plenty at Rome, as Domitius, according to the estimate of Val. Max. Valerius Maximus, who speaks the most mode-
 ix. 1.

* *An Exotic, known to the curious. The French call it the Micoquier.*

rately

rately, makes the price of those trees amount to thirty * millions of sesterces, about seventeen thousand pounds sterling. The house of Crassus was also adorned with six pillars of the finest marble, which might justly be deemed a vicious luxury in the house of a private person, at a time, when marble pillars were an ornament unknown even in publick buildings.

Every thing else in his house was in the same taste. He had beds for the table inlaid with brass. He was particularly very curious in plate. Vases of silver were seen on his buffet, of which the fashion had been so costly, that he had bought them at the rate of six † thousand sesterces a pound. He had in particular two cups, made by Mentor a famous artist, that had cost him an hundred thousand sesterces, (650 pounds sterling) an enormous sum, and which made the purchaser himself blush, as he never ventured to use what he had paid so dear for.

I am almost ashamed to repeat what Macrobius says of the same Crassus, that one of the *Muræne*, which he kept in his fishpond dying, he had the weakness to wear mourning for it. But it is not amiss to see from the like examples, how little the same men frequently are in their private conduct, who shine so much, and make so great a figure upon the theatre of the world.

Let us conclude all this with a reflexion from Pliny. “ Of old, says he, the like excesses were much condemned. (a) In our days such complaints

* The text of Pliny says but twelve ounces or Troy weight.
much more ; but there may be an error in the number.

† Six thousand sesterces are esteemed by the Romans.

(a) Nimirum ista omisere moribus victis : frustra interdita

A. R. 660. " complaints are ceased, being of no use since the
 Ant. C. 92. " total extinction of manners. We have seen,
 " that no prohibitions could put a stop to luxury,
 " and it was thought more eligible to have no
 " laws, than to make them only to be violated.
 " Our descendants will make our apology, in
 " shewing themselves still more vicious than we."

From what I have just related it results, that the reproaches of Domitius were but too well founded against Crassus. And Crassus, in consequence, only eluded them by pleasantries, the sole resource of a man of wit, who perceives he cannot defend himself.

*Unjust
 condemna-
 tion of
 Rutilius
 Cic. de Or.
 i. 229.*

The Knights had committed many acts of injustice since their presiding at trials. But none was more enormously atrocious, than the condemnation of Rutilius. That man, the most virtuous of his times, and who deserved to be termed the model of probity, had incurred their hatred, as I have said already, by seconding the courageous zeal of Scævola, Proconsul of Asia, in punishing the vexations of the publicans, with his whole power. The Knights desired to be revenged, and at the same time, by a distinguished example, to intimidate such magistrates, as would not connive at their oppression in the provinces. Rutilius in consequence, who had made so many of the publick leeches disgorge their gains, was himself accused of extortion. To this chief point of the accusation were added reproaches of debauch and excesses, directly the reverse of his known purity of manners. But could any sense of shame

*Cic. de
 Or. i. 229
 —230.
 Liv. Epit.
 D'o. ap.
 Vales.*

*Bayle's
 Diction. at
 the word
 Apicius.*

be expected from such an adversary as Apicius, the famous glutton, and the most ancient of those,

terdita quæ vetuerant cernen-
 tes, nullas potius quam irritas
 esse ieges maluerunt. Sed &

qui sequentur, meliores esse
 nos probabunt. *Plin. xxxvi.*
 5.

who

who have rendered that name equally odious and contemptible to all posterity by the phrenzy of that character? He is mentioned as having much contributed in causing Rutilius to be condemned. And Marius, who was born to be the enemy and prosecutor of every kind of virtue, did not fail to act also against a man, whose merit gave him offence, and who was besides the friend of Metellus.

Rutilius supported this storm with heroick constancy. He would neither put on mourning, as was the custom, nor humble himself before his Judges. Perhaps he even carried his resolution too far. For he refused the assistance of eloquence. The sublime talents of Antonius and Crassus were his reasons for excluding them. He would not make use of their offices. Cotta was however admitted to plead * part of his cause, though he made a great figure amongst the young orators. But he was his nephew. For the rest he took his defence upon himself, and in a manner very little adapted to conciliate the favour of the Judges, lamenting much more the fate of the Commonwealth than his own. Scævola also strongly maintained the innocence of his friend, and former Lieutenant, and spoke in his manner with perspicuity, elegance, and exactness, but without force. Rutilius was condemned.

Antonius, who was extremely afflicted to see so great and worthy a man condemned unjustly, complains bitterly in Cicero of the Stoical severity, with which he determined to confine himself to truth, without permitting eloquence to sustain so good a cause. “ (a) If you had spoken upon
“ this

* *The reader, I suppose, remembers, that at Rome the same cause was frequently divided amongst several orators.*

(a) Quod si tu tunc, Crasse, dixisses, & si tibi pro P. Rutilio non philosophorum more, sed tuo, licuisset dicere, quamvis

A. R. 660. “ this affair, says he to Crassus, and had been
 Ant. C. 92. “ permitted to treat it in your manner, and not
 “ in that of Philosophers. I am convinced that
 “ how wicked soever the judges may be, though
 “ pernicious citizens, though worthy of the
 “ greatest punishments, the force and vehemence
 “ of your discourse would have triumphed over
 “ their barbarity, and eradicated it out of their
 “ hearts. But we lost so excellent a man, be-
 “ cause his cause was pleaded, as if we lived in
 “ Plato’s chimerical republick.”

*He goes in-
 to volun-
 tary ba-
 nishment.*

Rutilius shewed the same courage after his con-
 demnation, as he had in danger. Though his
 sentence was only to make reparation for the pre-
 tended damages laid to his charge, he quitted
 Rome, as a den of thieves, and retired into the
 province, which had been the witness of his vir-
 tues, that is, to Asia, where he first settled at
 Mitylene, and then at Smyrna. His estate was
 seized and sold; and was a proof of his inno-
 cence. For it did not amount to the sum he had
 been condemned to pay; and his papers sufficient-
 ly attested the just and legal origin of all he pos-
 sessed.

Dio.

It is easy to judge, that his glory did not suf-
 fer from so unjust a condemnation. He even
 found in the liberality of his friends, and of those
 to whom he had done services, an abundant
 amends for the loss of his fortune. Scævola forced
 him to accept considerable presents. And when
 he approached Asia, all the different states and
 people of that province, vyed with each other in
 expressing not only their affection and respect, but

vis scelerati illi fuissent, sicuti
 fuerunt, pestiferi cives suppli-
 cioque digni, tamen omnem
 eorum importunitatem ex
 intimis mentibus evellisset vis

orationis tuæ. Nunc talis, vir
 amissus est, dum causa ita di-
 citur, ut si in illa commentitia
 Platonis civitate res ageretur.
De Orat. i. 230.

an actual gratitude, which the state of his fortune would not permit him to refuse: so that he became richer when banished into Asia, than he had been whilst of Consular dignity at Rome. A. R. 660.
Ant. C. 92.

He renounced his country for ever: but without departing from the sentiments of a good citizen. And when a person said to him by way of consolation, that there would soon be a civil war, and then exiles would be reinstated: (a) *What have I done to you*, replied he, *that you should desire a return more unhappy for me, than the necessity of departing has been? I had rather see my country blush for my banishment, than mourn my return.* He is invited by Sylla to return to Rome, and refuses. What he said at this time, he thought. For Sylla, when victorious over all his enemies, having invited him to return to Rome, he chose to remain in exile. He no doubt desired to spare himself the mournful sight of the calamities his country suffered, Perhaps also in taking the advantage of Sylla's victory, he was afraid of seeming to approve the conduct of a Man, whose cause seemed good to him, but whose proceedings could not fail to give him horror.

It is certain at least, that this manner of thinking, highly agreed with the strict probity always professed by Rutilius, and his attention not only to avoid committing injustice himself, but not to share in that of others. Valerius Maximus relates, that (b) one of his friends having one day asked an unjust thing of him, and taking so much offence on his refusal, as to say to him with indig-

(a) Qui tibi, inquit, mali feci, ut mihi pejorem reditum quàm exitum optares? Malo ut patria exsilio meo erubescat, quàm reditu mœreat. *Sen. de Benef. vi. 37.*

(b) Quum amici cujusdam

injustæ rogationi resisteret, atque is per summam indignationem dixisset, *Quid ergo mihi opus est amicitia tuâ, si quod rego non facis?* respondit, *imo quid mihi tuâ, si propter te aliquid inhonestè facturus sum?*

nation,

A. R. 660. nation, *What signifies your friendship to me, if you*
 Ant. C. 92. *don't do what I desire of you?* Rutilius retorted
 in the same tone, *And what is yours to me, if I can*
deserve it only by vile actions?

He had He had always loved and cultivated liberal
cultivated knowledge. He had studied philosophy under the
all the celebrated stoick Panætius. He was very learned
sciences. in the law. He had not neglected even eloquence,
 Cic. Brut. but 'twas a kind of eloquence, that suited his
 113, 114. austere turn of mind, and which could make im-
 pression rather by the orator's probity, than insinu-
 ate by the graces of discourse. He had however
 much employment at the bar, and pleaded often.
 Athen. He had also composed a Roman History in Greek,
 l. iv. besides his own life, which he had probably wrote
 Liv. in Latin. This fund and taste of erudition and li-
 xxxix. 12. terature, in some measure universal, was no doubt
 a great resource to him in his banishment.

We shall again have occasion to speak of Ruti-
 lius, on account of the massacre of the Romans
 in Asia, executed by order of Mithridates.

 BOOK THE THIRTY FIRST.

 T H E
 ROMAN HISTORY.

THIS book contains the space of five years, from the 661st year of Rome, to the beginning of the 666th. Its principal subjects are, the war with the allies, and the civil war between Marius and Sylla, to the death of the former.

S E C T. I.

War with the allies. Its nature, origin, and duration. Ardent desire of the allies to have the freedom of Rome. The Senators, to recover the administration of justice, support themselves with the Tribune Drusus. That Tribune labours to gain the People by laws favourable to the multitude; and the allies, by the promise of making them citizens. The Consul Philippus opposes the laws of Drusus. Cæpio, another opponent of Drusus. Violence of Drusus against Cæpio and Philippus. The laws pass. A new law of Drusus to divide the administration of justice between the Senators and Knights. Perplexity of Drusus, who cannot keep his promise with the allies. Inflexible constancy of Cato whilst only an infant.

Proceedings of the allies. Saying of Philippus injurious to the Senate. Contest on that head between Crassus and Philippus. Death of Crassus. Cicero's reflexion on his death. Death of Drusus. His character. All his laws are annulled. Law passed by Varius for informing against those, who had favoured the allies. Cotta accused, goes into voluntary banishment. Scaurus extricates himself out of danger by his constancy and laughlinefs. Varius himself, condemned by his own law, perishes miserably. The allies prepare for a revolt. They form themselves into a republick. Massacre at Asculum. Open revolt of the states of Italy. Embassy of the allies to the Romans, before they enter into the war. They have the advantage at first. Unjust suspicions of the Consul Rutilius against many of the Nobility. The execution of the law Varia suspended. Marius advises the Consul to decline a battle ineffectually. Rutilius is defeated and killed. Grief and consternation of Rome. Cæpio, deceived by Pompedius, perishes in an ambuscade with a great part of his army. Victory of the Consul Julius, which makes the Romans resume the habits of peace. Victory began by Marius, and completed by Sylla. Marius declines a battle. He retires with little glory. Sertorius signalizes himself. He loses an eye by a wound in battle. His sentiments on that occasion. Two slaves save their mistress at the storming of Grumentum. Victory of Cn. Pompeius, in consequence of which the magistrates of Rome resume the ornaments of their dignities. Freedom of Rome granted to such of the allies as had continued faithful. Freedmen admitted into the land-service. The Consul Pompeius presses the siege of Asculum. He beats the Marsi, and subjeets other neighbouring people. A slave of Vettius kills his master, and then himself. The Consul Porcius is killed
in

in a battle. Young Marius is suspected of being the author of his death. Sylla destroys Stabiae, and besieges Pompeii. He takes upon him the command of Postumius's army, and does not revenge the death of that General murdered by his soldiers. He destroys an army of the Samnites commanded by Cluentius. He is honoured with a Corona obsidionalis. He conquers the Hirpini. He enters Samnium, and gains several advantages there. He returns to Rome to stand for the Consulship. He glories in the title of Fortunate [Fælix.] Inconsistency of his character. The Marsi lay down their arms. General council of the league transferred to Esernia. Judacilius, despairing to save his country Asculum, poisons himself. Asculum taken by Cn. Pompeius. Triumph of Cn. Pompeius, in which Ventidius is led captive. Pompeius enters Bovianum in triumph, and is defeated and killed. Embassy of the allies to Mithridates, to no purpose. The War of the allies subsists only in a languid manner. Eight new Tribes formed by the new citizens. Censors. Asellio Prætor of the city assassinated in the Forum by the faction of the rich, who lend money at usury. Law Plautia, de vi publica. By another law of the same Tribune, the Senators are restored to a share in the administration of justice. Sylla is elected Consul. Debate on that subject between him and C. Cæsar.

Origin of the war with the Allies.

WE are now come to a war, which the Romans called (a) *the war of the Allies*, to disguise, says Florus, under a softer name what it had of odious in it: for in reality it was a civil

War with the allies. Its nature, origin, and duration.

(a) Sociale bellum vocetur si verum tamen volumus, illud licet, ut extenuemus invidiam: civile bellum fuit. *Flor. iii. 18.*

war. The states of Italy, against which Rome had this war to sustain, had been united with the Romans during so many ages, and by ties so often and so variously multiplied, that if they were not citizens, that took up arms against citizens, they were friends against friends, and relations against relations; so that this war included all the horrors of civil wars.

The origin of it, on one side, was the ardent, and in my opinion, the entirely legitimate desire of the allies, to become citizens of a Commonwealth, of which they constituted the strength and support; and on the other, the haughtiness of the Romans, who could not resolve to set states upon a level with themselves, whom * they were accustomed to consider as subjects, honoured with the name of allies.

Vell. ii.
15.

I say, the pretensions of the Italians seem legitimate. For it is evident, that it was by their aid the Romans had conquered all the provinces, that composed their empire. There was no Roman army, in which the Latines and allies did not form the greater half; always supplying an equal number of infantry, and twice as many horse.

On the other side, if I impute the refusal of the Romans to pride and haughtiness, it is not because I pretend, that good policy could not give solid reasons for opposing the mixture of such multitudes of new citizens. But this is too complex a problem for me to attempt to solve. I therefore shall confine myself to facts. It is certain, that the Romans were very proud of their preheminencies. It is also certain, that they were

* *The condition of the states, which the Romans treated as allies, is well expressed in a passage of Livy, speaking of the Achæians. Specie æquum est*

foedus apud Achæos, re precaria libertas: apud Romanos etiam imperium est. Liv. xxxix. 37.

obliged at last to grant those states the freedom they so tenaciously refused at first. And had it not been better to have given in at first with a good grace, to what they were reduced to do by necessity after so much bloodshed?

For this war was very bloody. The states of Vell. ii. Italy, according to Velleius, lost three hundred ¹⁵ thousand fighting men in it. A very great number of Romans also perished in it in repeated defeats. And it is no wonder they were so often defeated. They could not have enemies more capable of making head against them. Both sides had the same arms, the same discipline, exercises and knowledge of all that relates to the art of war: and though during a great length of time no Italian had commanded in chief, there were however Generals amongst them.

The duration of the war with the allies was very long, to take it in all its extent. The greatest heat of it scarce subsisted above two years; but it continued much longer, though with less ardour; it had a share also in the civil wars between Marius and Sylla; and it was not entirely terminated till by the latter, when after having made peace with Mithridates, he returned to Italy, and by his victories put an end to all the divisions, which had torn it during so many years.

A war of such importance, and abounding with so many events, should seem to supply our history with rich materials. But such of the ancients as had related it with care, are lost; and nothing remains but such confused and imperfect abridgments, that I can promise the reader only a general idea of things, with very little circumstantial account, of particular facts. I proceed to our subject.

*Passionate
desire of
the allies
to be ad-
mitted citi-
zens of
Rome.
Rom. Hist.
Vol. III.
VII.*

The allies of Rome had in all times ardently desired to be admitted citizens of it. The war with the Latines, above two hundred and forty years before this I am going to relate, had no other cause. The * Campanians, after the unfortunate battle of Cannæ, offered the Romans their aid upon the same condition; and only revolted because it was refused them. And indeed the Romans, during a great length of time, had not followed the policy so much praised in their founder, who often transformed such into citizens of Rome, as the same day had been her enemies. As soon as they began to form a considerable state, they were very reserved in granting this favour; and their reserve in that point increased in proportion to their power; and in consequence as the freedom of a Roman citizen became a more important and exalted title. If they conferred this grace, it was almost only upon small neighbouring cities, and never upon whole states. Besides which they frequently divided the condition of Roman citizens, from the exercise and functions of it, and bestowed the name without granting the right of voting. Accordingly only a few private persons of the Italians attained that so much desired advantage, and that by stratagem and address. But the Roman magistrates were upon their guard against such frauds, and sent home these strangers to their own cities, who were for swarming at Rome.

The Gracchi revived in the hearts of the allies the hope of obtaining the freedom of Rome by a general incorporation. Tiberius had conceived thoughts of it; but was prevented by death from

* Liv. xxxvi. 6. doubts this second oration against Rullus, fact. But Cicero positively af- n. 95.
firms, it is as certain in his

carrying the thing very far. His idea was followed, and advanced farther by Fulvius Flaccus: and the revolt of Fregellæ, in which Caius was so much accused of sharing, was a signal, on which all Italy would have been in motion, if a sudden and severe revenge had not put a stop to that conspiracy in its birth. At length the mine was sprung, in the Tribuneship of Drusus, as I am going to relate.

L. MARCIUS PHILIPPUS.
SEX. JULIUS CÆSAR.

A. R. 661.
Ant. C. 91.

The condemnation of Rutilius had made the Senators more sensible than ever of the necessity of delivering themselves from the tyranny of the Knights in trying causes, and supplied them at the same time with the justest motive for divesting that order of a power, which they abused in so criminal a manner. To succeed in that design, they called in the aid of M. Livius Drusus then Tribune, a young man, whom his birth, courage, and talents, made capable of the greatest undertakings.

The Senators, to recover the administration of justice, make use of the Tribune Drusus.
Flor. iii. 17.
Liv. Epit. lxxi.

He was the son of that Drusus, who ruined the affairs of C. Gracchus, by behaving in the name of the Senate with more popularity than him. The son appears to have followed the same system of conduct. His plan was to serve the Senate, and to conciliate the favour of the people. This he endeavoured by proposing Agrarian laws, the establishment of colonies, and distributions of corn; the whole with such profusion, that he said himself, “ * he had not left any

Drusus endeavours to conciliate the people by laws in their favour.

* *The expression is not unhappy in Latin, on account of the similar sounds of the words air and dirt. Nihil se ad largi-*

tionem ulli reliquisse, nisi quis aut cœnum dividere veller; aut cœum. Flor.

A. R. 661. "one room to make new largesses, unless it was
Ant. C. 91. "of air or dirt."—And he declared, that he
passed all these laws so much in favour of the
people in concert with, and by the authority of,
the Senate.

And the allies by the promise of the freedom of Rome. Though the allies did not give their voices in the affairs of the government of Rome, they had however great weight in them by their influence and ties with all the citizens great and small. Drusus was desirous also to attach them to the Senate, and promised that they should at length obtain the freedom of the city, if they would assist him in passing his laws, and made the Senate the guarantees of his engagement.

The Consul Philippus opposes the laws of Drusus. The Knights strongly opposed the laws of Drusus; and that is not strange, as they were intended against themselves. But even in the Senate, he had two formidable adversaries, the Consul Philippus, and Servilius Cæpio, a young man of his own age, and formerly his friend.

Philippus, besides the advantages of birth, riches, great alliances, and the dignity and authority of his office, was also capable by the talent of eloquence to give weight to the party he espoused. After Crassus and Antonius, who disputed the superiority as orators, as has been observed more than once, Philippus took place, but at a great distance. "Though there was no
"one, says Cicero, who could take place between
"those two great orators and him, I can (a) nei-
"ther call him second, nor third; in like man-
"ner as in a chariot-race. I should scarce reckon
"that second or third, which should hardly have
"quitted the barrier, when the first had already

(a) Nec enim in quadrigis eum secundum numeraverim aut tertium, qui vix à carceribus exierit, quum palman jam

primus acceperit, nec in oratoribus, qui tantum absit à primo, vix ut in eodem curriculo esse videatur. *Cic. Bruto*, n. 173.

"received

“received the prize.” But to consider Philippus A. R. 661.
Ant. C. 91. in himself, and independantly from all comparison, he could not be denied the title and merit of an orator. He had a bold and free tour of thought, with abundance of salt and pleasantry. He wanted neither invention to produce thoughts, nor facility of elocution to express them. With all this, he was well versed in the sciences of the Greeks; and when he was warm in altercations, he had an edge, a sting, that always is highly pleasing to an audience.

I cannot tell, for want of authorities, what motive induced Philippus, then actually Consul, to oppose Drusus and the Senate. When he was Tribune, he had formerly proposed an Agrarian law, and Cicero quotes a seditious passage in a Cic. de
discourse he then made. He said, *that there were* Offic. ii.
not two thousand men in the city who had where- 73.
withal to live. The consequences of such an expression, from a Tribune before a multitude, who pretended to the rights of sovereignty, are sufficiently evident. For the rest, however, the conduct of Philippus in his Tribuneship had been moderate enough, and he had suffered his law to be rejected with no great difficulty. Was he in consequence perswaded, that Agrarian laws were always pernicious, and did he for that reason oppose those proposed by Drusus? or had he any personal grudge to that young Tribune, or discontent in respect to the Senate? This we do not know. But it is certain, that he acted with great warmth, and even passion.

As to Cæpio, there was a young man's quarrel Cæpio also
opposes
Drusus. between him and Drusus. They had once been Diod. ap.
Vales.
Strab. l. xi.
p. 515.
Plin. such great friends as to exchange wives with each other; a practice contrary to decency and good manners, but authorized by the custom of the Romans. Their difference was upon a puerile occasion, xxxiii. 1.

A. R. 661.
Ant. C. 91.

occasion, having piqued themselves upon outbidding each other at a sale for a ring, which both were for having. From so slight a subject arose an irreconcilable enmity, which they carried to the most frantic excesses, and thereby occasioned the greatest calamities to the Commonwealth. Both had ambition, boldness, capacity for business, and a turbulent, restless disposition: and their emulation, being changed into envy and hatred, Drusus's attachment to the interests of the Senate was a sufficient reason to determine Cæpio to declare for the Knights.

*Violence of
Drusus a-
gainst Cæ-
pio and
Philippus.*

Autor. de
vir. illustr.
Val. Max.
ix. 5.

The contests between Drusus on one side, and Cæpio and Philippus on the other, were very violent. They were carried so far, that Drusus once threatened Cæpio to have him thrown from the Tarpeian rock. And as to Philippus, as that Consul opposed the laws of Drusus with his utmost power, and would not suffer them to be brought into deliberation, Drusus caused him to be carried to prison, and treated so outrageously, that the blood gushed out at his nose in abundance. And this the Tribune treated only as a jest, saying, that it was not blood, but the gravy of thrushes: because Philippus was thought to love good cheer and nice morsels.

*The laws
are passed.*

After so many disputes, the laws however could not be prevented from passing. On the day fixed for their being brought on, so prodigious a concourse of people came from all parts to Rome, that one would have thought the city had been besieged by an army of the enemy. That multitude forced through all opposition: and the colonies, distributions of lands, and largesses of corn, were all decreed conformably to the views of Drusus. It was probably at this time, that the Tribune, in order to enable the Commonwealth

to.

to support so many expences, altered the coin, A. R. 661.
Ant. C. 91. and mixed an eighth of alloy with the silver.

These laws thus received were only preliminary *New law* to the designs of Drusus. The question was to *of Drusus* restore the administration of justice to the Senate. *for di-* This was the great point he had in view; and he *viding the* had been lately encouraged in it by Scaurus, who *admini-* having been accused by Cæpio, had defended him- *stration of* self with his usual constancy, and had openly ex- *justice be-* horted Drusus to introduce a necessary change in *tween the* trials, of which the Commonwealth stood in ex- *Senators* *and* *Knights.* treme need. The Tribune however did not undertake wholly to deprive the Knights of the administration of justice; but to divide it between the two orders. Appian pretends, that his plan was to associate and incorporate three hundred Knights with the Senate: so that the whole body, which was three hundred, might be double that number. Out of these six hundred Senators, as well old as new, the Tribunals of the judges were to be formed. But I am obliged to confess, that I lay no great stress upon Appian, a writer of little judgment, and besides very remote from the time in question. The epitome of Livy speaks only of a partition of the judicature between the Senators and the Knights: and * Cicero's authority, that can admit of no exception in this point, determines my opinion in respect to it.

Drusus accordingly passed a new law to ordain, that the body of the judges should for the future be half Senators and half Knights. To this law he added an article, by which it was made lawful to prosecute any judge, that should have commit-

* *The complaints of the Knights repeated by Cicero pro Cluerit. 153, 154, evidently imply, that they were not made by Senators. See also pro Rabir. Post. n. 16, 17.*

A. R. 661.
Ant. C. 91.

ted any abuse or prevarication in the exercise of his office. For hitherto, through a singularity entirely amazing, and for which I do not undertake to account, the judges chosen out of the * order of the Knights, were not subject to any molestation for prevarication in trials.

This law exasperated the Knights exceedingly ; not only because it deprived them of half the authority they possessed, but by the punishment, to which it subjected abuses of it, which were but too common with them. They were not afraid to call those penalties an intolerable yoke, to which they were not accustomed, which they had never born, and which they would never suffer to be imposed on them. But all the world were united against them in favour of the law. The Senators, though they were desirous to recover their ancient right in the whole, thought it some advantage to be reinstated at least in part of it. The people were gained by the largesses, that had lately been granted them. The allies, though not satisfied with these colonies, and distributions of lands, by which they were to lose part of their own possessions, were however drawn in by the hope of the freedom of Rome. Add to this the Tribune's haughtiness, who had recourse to the most flagrant violence, when it served his purposes. The law in consequence was passed, and had the authority of the suffrages of the Tribes.

*Perplexity
of Drusus,
who cannot
keep
his promise
with the
allies.*

Drusus had hitherto succeeded in all he had undertaken. But his success itself was followed by the most affecting perplexity. For the allies, who had served him so well, did not fail to claim his promise : and he found himself under an impossibility to perform it. It is not to be doubted,

* The circumstances mentioned here is certain from Cic. pro Cluet. 145—154.

but a proposal to adopt so prodigious a multitude of citizens, would displease a very great number of the Romans. Besides the credit of Drusus declined every day. The Senate, which by his means had obtained only a part of what they desired, supported him but coolly. We have related, in the history of the Gracchi, the immense difficulties and quarrels, occasioned by new distributions of lands. Drusus in consequence had disgusted almost the whole city by his laws : and those he had obliged, were but indifferently satisfied with him. All he could do, was to temporize, and endeavour to amuse the allies with good words.

It was during these negotiations, that Cato, then an infant, gave an instance, on the occasion of the affair of which I am speaking, of that inflexibility of mind, that distinguished his character during his whole life. As he had lost his parents very early, he was brought up in the house of Drusus, his uncle by the mother's side. There it was, that Pompedius Silo, one of the principal persons of the allies, happened, by way of joke, to ask young Cato to recommend his suit to his uncle. The child keeping silence, expressed by his looks and an air of dislike in his countenance, that he would not do what he was asked. Pompedius insisted without being able to prevail in the least. At length he took up the child by the middle, carried him to the window, and holding him out of it, threatened to let him drop, if he persisted in his refusal. But fear had no more effect than entreaty. Pompedius, on setting him down in the chamber, cried out, *What an happiness it is for Italy, that thou art but a child ! For were you at age, we should not have a single vote.*

A. R. 661.
Ant. C. 91.

*Inflexible
constancy
of Cato
whilst an
infant.
Plut. in
Cat.*

A. R. 661.
Ant. C. 91.
Proceed-
ings of the
allies.
Flor. iii.
18.

Auctor de
vir illust.
Diod. ap.
Vales.

The allies did not confine themselves long to the method of negotiation. They soon conceived thoughts of doing themselves justice by arms, and even the horrid design of massacring the Consuls upon the day of the *Feriæ Latinae*, a solemn festival, celebrated with a great concourse of the Romans and people of Latium on mount Albanus. But Drusus had the generosity to apprise Philippus of it, who took precautions against a surprize. Another danger, not less great, was prevented by a lucky circumstance. Pompedius had drawn together ten thousand men, and led them to Rome with swords concealed under their cloaths, in the resolution to besiege the Senate, and to force them to grant the allies the freedom of the city. Domitius having met this troop upon their way, represented to Pompedius, that he was taking a wrong method; and that the Senate, who were well disposed in favour of the states of Italy, could grant every thing to good behaviour, but nothing to force. Both the leader and his followers suffered themselves to be persuaded, and separated. But all this only suspended the evil, without remedying it. On the one side the allies abated nothing of their pretensions: on the other, the Romans took no measures to give them satisfaction. All Italy was discontented; and nothing passed but secret assemblies, conspiracies, plots; and every thing tended to a general insurrection.

Saying of
Philippus
injurious
to the
Senate.
Cic. de
Or. iii. 2.

At Rome the disposition of people was scarce more pacifick. The division subsisted still between the Consul Philippus and the Senate: and that Magistrate, in an assembly of the People, went so far as to say, "that another council was necessary to him for the administration of the government. That with the Senate, such as it was, he could not act for the good of the State." On the occasion of this invective,
and

and words so injurious to the Senate, an assembly of that body was held on the 13th of September, called by Drusus. The Tribune complained warmly in it of Philippus, and proposed deliberating on the insult done to the Senate by the Consul, who was its chief and president.

The orator Crassus in giving his opinion signa-
lized his zeal and courage, and never did eloquence
shine out more gloriously than on this occasion,
which was the last of his life. "He (a) de-
plored the sad fate of the Senate, which ought
to find a guardian and parent, careful to pro-
tect it, in the Consul, and had only in him a
virulent enemy, to divest it of its honour and
dignity. He accused Philippus of being the
author of the present calamities; and declared,
he did not wonder that he rejected the counsels
of the Senate, as he was solely intent upon ruin-
ing and destroying the Commonwealth."

*Contest on
this subject
between
Crassus
and Phi-
lippus.*

So vehement a discourse gave birth to the most warm contest. Philippus, who did not want eloquence, fire and spirit, especially when himself was attacked, insisted strongly upon the rights of his office. He pretended, that Crassus had been wanting in respect for him: and immediately laid a fine upon him, requiring at the same time, according to an established custom at Rome, security for the payment of the money.

This proceeding, far from intimidating Crassus, served only to animate him the more. He affirmed, that he ought not to consider Philippus as Consul, as he did not consider himself as a Se-

(a) Deploravit casum atque orbitatem Senatûs: cujus Ordinis à Consule, qui quasi parens bonus aut tutor fidelis esse deberet, tanquam ab aliquo nefario prædone dirigeretur,

patrimonium dignitatis Neque verò esse mirandum, si, quum suis consiliis rempublicam profligasset, consilium Senatûs à republica repudiaret.

nator.

A. R. 661.
Ant. C. 91.

nator. *How, (a) added he, whilst you behave in respect to the reputation and honour of the whole order, as you would do of a mean deposit abandoned to your discretion, and tear it to pieces in the sight of the Roman People, do you imagine that you can terrify me by the frivolous security you require of me? No, if you would silence Crassus, it is not to be done by laying a fine upon him; you must pluck out this tongue: and even were you to do that, the liberty that would still subsist in my countenance, would suffice to reproach you with the tyranny you exercise over us.* He concluded, that it was necessary for the Senate to clear itself of the reproach made it by the Consul; and that it should shew the Roman People, that the Senate had never failed either in wisdom or zeal for the service of the Commonwealth. And this opinion was followed by all the Senators.

*Death of
Crassus.*

This was the (b) last, and at the same time the most shining triumph of that divine man's eloquence, as Cicero calls him. He had heated himself extremely in speaking, and already felt a pain in his side. This did not prevent him from staying, till the decree was drawn up conformably to his opinion. He caught cold, and was seized with a shivering; and returning home with a fever upon him, died seven days after of a pleurisy.

*Reflexion
of Cicero
upon it.*

Cicero, from whom we have this whole account, makes the most moving reflexions upon this death of Crassus, which deprived him of the

(a) An tu, quum omnem auctoritatem universi Ordinis pro pignore putares, eamque in conspectu populi Romani concideres, me his pignoribus existimas posse terreri? Non tibi illa sunt cædenda, si Cras-

sum vis coercere: hæc tibi est excidenda lingua: quâ vel evulsâ spiritu ipso libidinem tuam libertas mea refutabit.

(b) Illa tanquam cycnea fuit divini hominis vox & oratio.

fruits

fruits he had in view in all the labours of his life: “ Delusive (a) hopes of man, cried he, “ Oh frailty, oh inconstancy of fortune ! Oh vanity of all our views and efforts; which are “ either cut short in the midst of their course, or “ are unhappily shipwrecked before we can descry the port ! For hitherto the life of Crassus “ had been entirely employed either in the cares “ that attended the attainment of offices, or the fatigues of the bar : and the glory he had acquired, was rather that of a man of wit, and one “ useful by his talents to many particulars, than “ that of a Statesman and great Senator. And “ the first year that terminated to him the career “ of honours by the Censorship he had lately exercised ; that year, which opened to him, by “ the consent of all, the entrance to the highest “ rank and consideration in the Commonwealth, “ is that which frustrates all his hopes, and all the “ views of his life by a sudden death.”

Such examples might indeed cure men of ambition, if ambition were an evil that could be cured. But Cicero, who makes this fine reflexion, applied it little to himself. And generally speaking, what happens to others, is but of weak instruction to ourselves. In morals, still more than in any other respect, *the follies of those who go before us are lost to us*, as one of the most illustrious

(a) O fallacem hominum spem, fragilemque fortunam: & inanes nostras contentiones ! quæ in medio spatio sæpe franguntur & corrumpuntur ; & ante in ipso cursu obruantur, quam portum conspicerent. Nam quamdiu Crassus fuit ambitionis labore vita districta, tamdiu privatis má-

gis officiis & ingenii laude fluit, quam fructu amplitudinis aut reipublicæ dignitate. Qui autem ei annus primus ab honorum perfunctione aditum, omnium concessu, ad summam auctoritatem dabat, is ejus omnem spem atque omnia vitæ consilia morte pervertit.

A. R. 661. and most ingenious writers of our times has agree-
Ant. C. 91. ably said. Happy for us, if we improve from
our own experience.

Death of The death of Drusus soon followed that of
Drusus. Crassus, and was undoubtedly more deplorable.
All Italy was in a flame: and the alarm the Ro-
mans conceived from it, turned into hatred against
Drusus, to whom the cause of these dangerous
commotions were ascribed. The indignation a-
gainst the Tribune was universal: and even the
Senate, for whom he had contended so much, no
longer looked upon him in any other light,
than as the author of the revolt of the states of
Italy.

Plin. Drusus was in despair: and as he happened
xxviii. 9. about this time suddenly to swoon away, and to
Auct. de lose his senses in the midst of an assembly of the
vir Illust. people, it was said, that he had occasioned that
accident himself, by drinking goat's blood, with
design to make it believed, that he was poisoned;
and thereby to render his adversaries odious, and
Cæpio in particular. It is more probable that it
was a fit of the falling sickness, a disease, to
which he had been subject in his earliest youth, and
of which he had been cured by the use of helle-
bore. However it were, all Italy were much af-
fected with this event, and cities made vows for
the recovery of his health.

His enemies were only the more inveterate to
destroy him. They conspired against his life;
and notwithstanding his precaution of keeping
company but seldom, rendering access to his per-
son more difficult, and appearing less in publick,
Appian. he could not escape them. One evening, in re-
turning home, surrounded by a great number of
followers, he received a stab with a knife, of
which he died soon after. The assassin hid him-
self

self in the crowd, and was never discovered. Philippus, Cæpio, and the Tribune Varius, were suspected ; which last will soon appear upon the stage. Cicero positively accuses him. No enquiry was made concerning this murder : which proves, that the authors of it were men of power, and capable by their credit of putting a stop to the course of justice.

A. R. 661.
Ant. C. 91.
Auct. de
vit. Illust.
Cic. de
Nat. Deor.
iii. 81.

Thus perished M. Drusus in the flower of his age, the victim of a restless ambition, which before it drew a violent death upon him, had tormented him during his whole life. This we may well believe. He had complained himself, at a time of grief, occasioned by the terrible difficulties in which he was involved, *that (a) he was the only one, who when but a boy, had never had an holiday.* And indeed, whilst he wore the robe of a boy, he had recommended accused persons to their judges, and had carried several affairs by his solicitations. “ What (b) could be expected, says Seneca, from so early an ambition; but what actually happened ; great calamities both to the commonwealth and to himself in particular.”

His character.
Senec. de
Brevit.
vit. 6.

He had great talents, but still greater presumption, which he retained to the last moment of his life. When he was upon the point of expiring, he said to those about him, *Friends, when will the Commonwealth find a citizen to supply my place ?*

Vell. ii.
14.

With these sentiments there is no room to wonder at the haughtiness of his behaviour in respect to his adversaries. The Senate itself had experienced it: and one day when that august body sent for him: *Why, said he, does not the Senate rather*

Val. Max.
ix. 5.

(a) Uni sibi, ne puero quidem ferias contigisse.

in malum ingens & privatum & publicum evasuram illam tam præcoquem audaciam.

(b) Quo non irrumperet tam imminatura ambitio ? Scires

A. R. 661. *come and assemble in the hall Hostilia, near the tri-*
 Ant. C. 91. *bunal for barangues?* And the Senate obeyed the
 imperious Tribune's order, though he treated theirs
 as nothing.

There are however in the life of Drusus some
 actions and circumstances truly laudable. The ad-
 vice, which he caused to be given to Philippus
 of the conspiracy of the Latines against him, is
 a proof of his generosity. And we cannot deny
 our admiration to the noble confidence, that ap-
 pears in an expression of his, which Velleius has
 preserved. He caused an house to be built on
 mount Palatinus, which afterwards belonged to
 Cicero: and as his architect promised him to lay
 it out in such a manner, that none of the neigh-
 bours should overlook him: (a) *So far from that*
says Drusus, you will please me best, if you employ
your whole art in such a manner, that every body
may see what is done in my house.

All his
laws are
annulled.
 Cic. pro
 Domo.
 n. 42.

From all these facts it results, that Drusus left
 behind him at least an equivocal reputation. And
 I know no writer, who praises him without ex-
 ception, except Velleius, a mean flatterer, who
 thereby made his abject court to Livia and Tibe-
 rius, descended from that Tribune.

The Death of Drusus was an entire triumph for
 his enemies: and the Consul Philippus caused all
 his laws to be cancelled by a single decree of the
 Senate, as passed contrary to the auspices, and
 consequently void of course. Thus all things re-
 sumed their former state, and the Knights remain-
 ed in sole possession of the judicature.

Law pas-
sed by Va-
rius to in-
form a-
gainst such
as had fa-
voured the
allies.

They resolved to take the advantage of the oc-
 casion for crushing their adversaries. They had a
 Tribune ready to serve them in all their views.

This was that Q. Varius, who had lately ridded

(a) *Tu vero, si quid in te artis est, ita compone domum*
meam, ut quidquid agam ab omnibus perspicere possit.

them

them of Drusus, a man of vast designs, and disagreeable in his whole person; however he had credit with the People from the talent of speaking, which he possessed in no vulgar degree. It was said, that he would have found it difficult to prove himself a Roman citizen: however, he presumed to set up for importance in Rome. And that * *mongrel*, for so he was surnamed, rendered himself formidable to the most illustrious persons of the city and Senate.

A. R. 661,
Ant. C. 91.

* Hybrida.

He proposed a law (a) for enquiring into those, whose evil practices had forced the allies to take arms. This accusation regarded the principal Senators, who had been in such strict union with Drusus, and by him with the allies. How far those ties had extended, it is impossible for us to conjecture through the thick veil of obscurity, that covers the times of which we are speaking. But there is no room to doubt, that those illustrious Romans had at least no share in a revolt, that brought Rome into one of the greatest dangers she had ever experienced.

The Senate seeing themselves attacked in this manner, spared no efforts to prevent the law from passing. Even some of the Tribunes opposed it in form. But the Knights made themselves masters of the forum and tribunal sword in hand, and caused the law to pass by the suffrages of the people.

Those who had passed the law *Varia* by such violent methods, were at the same time the judges, who were to put it in execution. Consequently it is easy to foresee what justice the accused had to expect. The number of them was very great: and whilst the war, which broke out soon after, caused all the tribunals to be shut up, that which

(a) Quorum dolo malo Socii ad arma ire coacti essent. *Var. Max.* viii. 6.

A. R. 661. took cognizance of this kind of crime, was the
Ant. C. 91. only one privileged to act.

Cotta is accused, and goes into voluntary banishment. Cotta is the best known of all those, who sunk under this storm. The nephew of Rutilius could not escape the revenge of the Knights. We have already observed, that he was an orator, but more esteemed for the clearness and solidity of his discourse, than its force and vehemence. He however rose upon himself on pleading his own cause in such unhappy circumstances. He did not endeavour to move his judges, from whom he had nothing to hope: but imitating the constancy of his uncle, he reproached them with injustice; he spoke with great dignity of the integrity of his conduct, of his views for the publick good, and of his zeal for his country; and after having rather insulted judges sold to iniquity, then made his apology, he went into voluntary banishment. This was the second disgrace the cabal had drawn upon him, which not long before had made him lose the Tribuneship. Rutilia his mother accompanied him in his banishment, and did not return to Rome, till he was recalled some years after by Sylla; and he rose to the principal dignities, and the reputation of one of the greatest orators of Rome.

Scaurus extricates himself out of danger by his constancy and dauntlessness. Scaurus was also cited before the judges under the same pretext, but came off more happily. Cæpio, who had accused him long before of extortion, was again his accuser on this occasion; and engaged the Tribune Q. Varius to summons that venerable old man before the assembly of the People, and to inveigh against him. Scaurus, though sinking under the weight of years, and but lately recovered of a disease, notwithstanding the instances of all his friends, who were for dissuading him from exposing himself, in the condition he was in, to the fury of the multitude, appeared
on

on the day fixed: He heard the Tribune's whole declamation patiently: and when he was called upon to answer, he only said these few words: *Q. Varius, a Spaniard by birth, accuses M. Scaurus, Prince of the Senate, of having made the allies take arms. M. Scaurus, Prince of the Senate, denies it. There are no witnesses. Which of the two, Romans, will you believe?* This defence so short, but so full of dignity, made an impression upon the people, disconcerted the Tribune, and frustrated all his and Cæpio's efforts. The affair went no farther.

Marcus Antonius did not extricate himself out of danger at so cheap a rate. On being accused, he exerted the whole force of his eloquence, and employed for himself all those arts he had used so successfully for others. He shed tears, he implored, and spoke with so much passion, that Cicero, who was an eye-witness, affirms, that he saw him touch the ground with his knee, in the warmth and earnestness of his intreaties. He was acquitted, and the next year had even a command in the war against the allies.

To make an end of what relates to the law *Varius Varia*, I shall add, that by the most surprizing turn of affairs, Varius, when the term of his office expired, was accused and condemned as being himself within the prescription of his own law. He was not punished with banishment only; but perished miserably in the most cruel torments. Freinshemius conjectures with great probability, that being reduced to wander about Italy, he fell into the hands of some of the allies, who made him undergo the just punishment of all his crimes. For besides the murder of Drusus, Cicero accuses him of having poisoned Q. * Metellus. But

Varius himself condemned by his own law, perishes miserably.
Cic. Brut. 305. & de Nat. Deor. iii. 83.

* I cannot say who this Metellus was; the family of the Metelli being then very numerous.

A. R. 661, what I relate here, did not happen till after some
Ant. C. 91. time.

The allies prepare for a revolt. About the end of the Consulship of Philippus, the states of Italy took their last measures to concert their revolt. The death of Drusus and the law *Varia* had entirely convinced them, that they had nothing to expect from Rome; they had lost their protector, and even the greatest of all crimes then was that of favouring them. They therefore conceived, they had absolutely no other resource, but of arms to obtain that by force, which would never be granted them by consent.

They form themselves into a Commonwealth. As the Romans were sufficiently engrossed by their intestine dissensions, the allies had time to put their affairs in order, and to make preparations. Accordingly tumultuous proceedings subsisted no longer: every thing was conducted with order, system, and by deliberations maturely weighed. They formed the plan of an Italick Commonwealth upon that of the Romans. They established, for the capital and seat of their government, the city of * Corfinium in the country of the Peligni, and they called it *Italicum*, as the common country, and metropolis of all the states of Italy united by league. They laid out a forum in it, and a hall for the Senate, which was to consist of five hundred deputies. They also took care to fortify this city, and to lay up in it all kinds of stores, money, provisions, and ammunition. And lastly, hostages of the several states that entered into the association, were brought thither. Their Senate, like that of Rome, was to have the general administration of affairs: and it was also out of the same body, that the Magistrates and Generals of armies were to be elected. They created two Consuls, and twelve Prætors.

* This city, which is ruined, was not far from Sulmo, now Solmona, in Abruzzo ulterior.

The Consuls were Q. Pompeius Silo, of the nation of the Marfi, and C. Aponius, or according to others, Papius Mutilus a Samnite. These two Generals, having each six Prætors under their command, divided Italy into two parts or provinces. The first had the country nearest Rome, on the west and north; and the other commanded in the rest of Italy, on the east and south.

A. R. 661.
Ant. C. 91.

The principal states that revolted, were the Marfi and Samnites. The first even gave their name to this war, which is frequently called *the war of the Marfi*. The Samnites, who had of old defended their liberty against the Romans during more than seventy years, were also the most tenacious in the revolt, and the last to lay down their arms, after a great part of them had been destroyed, especially by Sylla, who was their implacable enemy. With these two states, all the rest, that inhabited the country between the two seas, from the Liris, now *Garigliano*, to the Ionian sea, that is almost all we now call the kingdom of Naples, took up arms for the common cause. The Romans had scarce any allies remaining, except the Umbrians, the Tuscans, and the Latines. Gallia Cisalpina, or *Lombardy*, had no share in this war. The Gauls who inhabited it, were not allies, but subjects: and their country was treated as a province, that is, a conquered country. It was not so much as included in what the Romans then called Italy.

L. JULIUS CÆSAR.

P. RUTILIUS LUPUS.

A. R. 662.
Ant. C. 90.

The first blood was shed at Asculum, now *Ascoli*, on the frontier of Ancona. The Romans, on advices from all parts, that the people of Italy were preparing to take up arms, sent proper persons

Massacre of Asculum
App. Civil
l. i.
Flor. iii.
16.

A. R. 662.
Ant. C. 90.

persons into the different districts to inspect what passed. One of them having seen a young man carried as an hostage from Asculum to Corfinium, apprized Q. Servilius of it, who commanded in the country. Servilius ran thither, and with the highest degree of imprudence assumed an haughty tone to people incensed, who sought only an occasion for a rupture. He treated the Asculans, as if they had been slaves, and menaced them in the sharpest terms. But menaces are very frivolous, when not sustained with power. The Asculans enraged fell upon him, killed him with his Lieutenant Fonteius, and afterwards put all the Romans who were in the place to the sword.

Open re-
volt of the
states of
Italy.

This massacre was the signal for the general revolt of Italy. All the states mentioned before took arms. But the first, who signalized themselves, were the Marsi, at the head of whom was Pompeius Silo, the principal incendiary of this war. The rest did not delay to follow their example. All their measures, concerted long before, were soon put in execution. The Armies and Generals took the field; and the danger seemed so great to the Romans, that it was declared there was a *tumult*, [*tumultus*,] so they called an important and dangerous war. In consequence there was a stop put to all business in the city; all the tribunals, except that established by the law *Varia*, were shut up: the people quitted the *toga*, which was the habit of peace, and wore the military vest; and Rome seemed a town of war. Both the Consuls set out to make head against the enemy, but not without the precaution of leaving troops in the city in case of insult. They chose Lieutenant Generals out of the most illustrious warriors, Marius, Sylla, Cn. Pompeius Strabo, father of Pompey the Great, and T. Didius, who had triumphed twice, over the Scordisci

disci after his Prætorship, and the Spaniards after his Consulship. History also mentions Q. Metellus Pius, Cæpio, and many others. Rutilius had the Marsi for his province, and Julius Samnium. That first campaign an hundred thousand men were in arms, without including the garrisons of places.

However, before they entered upon action, the allies sent an embassy to the Romans, to make a last effort, and represent the justice of their pretensions, as they only demanded to be admitted citizens of a state, that was partly indebted for its greatness to them. They probably thought, that their request, supported by their arms, would have more effect than for the past. But the Senate, always true to the Roman maxim of never suffering the law to be given them, replied, “That if the allies acknowledged their fault, and submitted, they might be heard. That otherwise, they might spare themselves the pains of sending embassies to Rome.” Thus all hopes of peace being at an end, hostilities began.

For the rest we must not believe, that amongst the people who took arms, the Romans had no friends. The thing is impossible in itself: and Velleius pleases himself with citing the example of his great-grandfather's father Minatius Magius, who descended from Decius Magius, that faithful and constant ally of Rome, at the time of the revolt of Capua. Minatius, who inherited his grandfather's sentiments, raised a legion in the country of the * Hirpini, with which he joined the Roman troops, and signalized himself in the course of the war by many important exploits. And he was rewarded for it accordingly: he was made a Roman citizen nominally, and his two

* This country was part of that, now called the ulterior principality in the kingdom of Naples.

A. R. 660.
Ant. C. 62.

sons were created Prætors at a time when, as Vel-
leius takes care to observe, the Commonwealth had
only six.

*Cruelties
practised
by the
allies.*
Diod. &
Dio, apud
Vales.

No wars are made with greater cruelty than ci-
vil wars, and this was really one, as I observed
before. The more mankind are bound by strict
and sacred ties, the more violent their hatred be-
comes, when those ties are broke through. The
allies proceeded to all kinds of inhumanity both
against the Romans, and against such of the Ita-
lians as continued faithful to Rome; and that
they might have a proper instrument of their
cruelties, the people of Asculum set a Cilician
Captain of pirates at liberty, whom the Romans
had taken, and left prisoner in their keeping. No-
thing was spared, not even women and children.
They invented an unheard of punishment for the
women, which was to tear off their hair and the
skin of their heads. And the people of * Pinna,
not being willing to share in the revolt, saw their
children, which by misfortune had fallen into the
hands of the rebels, butchered before their eyes.
It is well, that history preserves the remembrance
of these horrible deeds, to make mankind ashamed
of their barbarity.

The reader may justly expect in this place an
account of military operations of the greatest
importance, innumerable incidents, battles and
sieges. But I have already taken notice, that
the times, of which we are speaking, are perhaps
the most barren of instructive memoirs of the
whole history of the Roman Commonwealth. We
have only abridgments, and those executed with
little taste: and Appian, who supplies more cir-
cumstances than the rest, affords almost only a
dry and trifling list of actions either little in

* *The citizens of Penna in Abruzzo Ulterior.*

themselves, or meanly related, without connection, without explaining causes and circumstances, and without any of those strokes, that paint the different characters of men, and render history useful and agreeable at the same time. I shall therefore be obliged to content myself with giving a general idea of the series of facts, and to make choice of such as were most important.

At first the allies had the advantage almost every where: and Freinshemius happily enough finds the cause of this superiority in the union, concurrence and zeal, which usually attend new enterprizes: whereas the dissensions, with which Rome abounded, extended even to the armies.

The allies have the advantage at first.
Suppl.
Liv. lxxii. 44.

The Consul Rutilius increased the evil by his unjust and ill-founded suspicions. As he observed, that the enemy knew every circumstance of what passed in his camp, he was assured that the principal Officers and Nobility, who had always had intelligence with the allies, gave them these informations: and without farther enquiry, he wrote on that head to the Senate. These letters tended to setting all things in a flame at Rome. Happily some spies of the Marfi were discovered, who mixed with the Roman foragers, and even entered the camp with them, as is very easily done in a war, wherein the language, habits, and arms are the same on both sides; and afterwards apprized their General of every thing they had been able to learn. In consequence these suspicions subsided, and tranquillity was restored. To cement it, the Senate decreed, that the law *Varia* should be suspended during the war: this was a source of division, to which the Senate very opportunely put a stop by the wisdom of this decree.

Unjust suspicions of the Consul Rutilius against several of the Nobility.
Dio apud Vales.

*The execution of the law *Varia* suspended.*
Ascon. in Or. pro Corn.

A. R. 661.

Ant. C. 90.

*Marius**advises the**Consul in**vain to**avoid a**battle.*

Dio.

The Consul Rutilius appears to have been a man of little genius, envious, umbrageous, and more greedy of glory than capable of deserving it. Marius, who was his relation, advised him to protract the war; no doubt to give the first ardor of the allies time to cool; besides which he represented, that provisions abounded in the Roman camp, and could not be wanting, whilst they had an open communication with Rome, and all the great part of Italy behind them; whereas the enemy, in the country where they made war, would soon be reduced to famine. Rutilius imagined, that Marius, in proposing this plan of conduct, consulted only the motives of his own ambition; that he was desirous that the year should elapse without action, in order, that he might be created Consul for the seventh time, and have the honour of terminating the war himself. With these thoughts he rejected Marius's counsels entirely, and took offence at them.

*Rutilius is**defeated**and slain.*

Appian.

He was incamped on the * Tolenus, a little river in the country of the Marfi, and below him on the same side at some distance was Marius. Each had a bridge upon the river; and opposite to them, but nearest to Marius's bridge, on the other bank lay Vettius Cato, one of the Prætors of the allies. The latter conjecturing, that the Consul would pass the Tolenus to attack him, posted an ambuscade upon the way in a very obscure valley. His stratagem took effect. Rutilius advanced against him; and whilst they were at blows, the troops in ambush appeared on a sudden, attacked the Roman army, and put it into disorder. Eight thousand Romans perished in this battle, either by the sword, or by being pushed into the river, and drowned. The Consul

* Now the Turano in Abruzzo Ulterior.

himself received a wound in the head, in which he died. A. R. 662.
Ant. C. 90.

Marius then shewed, that he knew more than either of those Generals. I have said, that he was incamped below the Consul. Having accordingly guessed what had passed from the bodies of the Romans, that came down the stream to him, he set out that moment, and finding the camp of Vettius almost without any guards, he carried it with little or no resistance. The victor in consequence, deprived of his camp and baggage, was obliged to pass the night upon the field of battle, and retired the next day without being able to make any advantage of his victory.

It is easy to judge, that the death of Rutilius occasioned great grief at Rome. But that grief was much increased, when the body of that Consul, and those of several other illustrious persons, killed in the same battle, were brought thither to be laid in the tombs of their ancestors. The whole city was in mourning and consternation, which continued several days. The Senate apprehended, that such sights, if repeated, might entirely discourage the citizens; and decreed, that for the future, such as should be killed in war, should be interred upon the spot. The allies passed a like decree on their side. *Grief and consternation at Rome.*

Cæpio commanded a body of troops as Rutilius's Lieutenant, and gained a considerable advantage with them, that occasioned his destruction. For in consequence of that success, the Senate having decreed, that the remaining soldiers of the army of Rutilius should be divided between Marius and him, he conceived on a sudden, that he was become as great a General, as he to whom this decree seemed to make him equal: and that presumption inclined him the more to give blindly into the snare Pompe dius laid for him. *Cæpio deceived by Pompe dius perishes in an ambuscade, with great part of his army.*

That

A. R. 662.
Ant. C. 90.

That artful Italian, whose camp was at no great distance from that of Cæpio, came to him in the night, giving him to understand; that he would change sides, and adhere to the Romans. As a pledge for his fidelity, he brought to him two children as hostages, which he said were his own, but they were really slaves. Besides which, pretending to be afraid, that the allies would revenge themselves by depriving him of his estate, and for that reason to use the precaution of saving at least some part of it, he brought with him counterfeit ingots of gold and silver, that is, of lead gilt with both.

Upon these proofs Cæpio confided in him : and the impostor having advised him to march and attack the camp of the allies, which would be much disconcerted, when they saw themselves without a leader, the Roman followed that counsel with entire security, and began his march. But Pompedius, in the space between the two camps, had posted an ambuscade ; and when he was near the place, he went up an hill, under pretence of going to view the posture of the enemy, but in reality to give his troops the signal agreed upon. Cæpio that moment was attacked, defeated, killed, and great part of his army were cut to pieces. Marius drew together such as found means to escape, and joined them with the troops under his command.

*Victory of
the Consul
Julius,
which
makes the
Romans
resume the
habits of
peace.*

Hitherto the affairs of the Romans went very ill. The Consul L. Julius was the first, who had the glory of an important success, which began to raise their hopes. He commanded in the war against the Samnites, who kept him so continually employed, that it was not possible for him to find time to go to Rome, to chuse a Collegue to succeed Rutilius ; so that from the 12th of June, the day of the defeat and death of that unfortunate

Con-

Consul, Julius continued alone to the end of the year, at the head of the Commonwealth.

A. R. 662.
Ant. C. 90.

He had received a blow at first, which probably conduced to make him more wary. He in consequence incamped near Papius, General of the Samnites, who was besieging the city of Acerræ in Campania: but he contented himself with keeping him in continual alarm, and distressing him otherwise in the operations of the siege, and avoided coming to a battle. He found himself obliged to weaken his army by a stratagem of the enemy. The Romans had Numidian auxiliaries with them. Papius caused Oxyntas, the son of Jugurtha, who had been prisoner at Venusium, to be brought to his camp; and having made him assume all the ornaments of sovereignty, he frequently shewed him to the Numidians. They deserted in multitudes to join their King: and Julius had no other remedy in his power than to send back all the Numidians in his army to Africa.

Papius flushed with his advantages, resolved to give the Roman Consul battle; and seeing that he did not quit his camp, he despised him so much as to undertake to force his intrenchments. The Romans defended themselves with valour; and whilst they kept the enemy employed at the place attacked, the Consul made his horse salley through another gate, who charging the Samnites in the rear, entirely broke them, so that they left six thousand men upon the spot. This victory gave the Romans both joy and hope. The Consul was declared *Imperator* by his soldiers; and at Rome the people quitted the habit of war to resume the *toga*.

The same good fortune did not attend Julius to the end of the campaign. He suffered a considerable loss, to which an illness, that made him

A. R. 662.
Ann. C. 90.

incapable of acting, and obliged him to be carried to and fro in his army in a litter, contributed. For the rest, all these battles, and many that I omit, produced nothing decisive: and the war continued with equal heat, and almost equal forces on both sides.

History began by Marius, and completed by Sylla.

Marius did not distinguish himself in it by great exploits. Whether through the necessity of circumstances, or perhaps the slowness and chill of age, it appears that the general course of his conduct was to gain time, and to hazard nothing. He however defeated the Marfi in a battle: but they began the attack, and when he had pushed them into vineyards surrounded with hedges, observing that they found it difficult to cross them in retiring, he was afraid of breaking his own ranks, and gave over the pursuit. Sylla, as if it had been his destiny to complete what Marius had begun, happened accidentally to be on the other side of those vineyards, with the body of troops under his command. He fell upon the Marfi, and made a great slaughter of them. The number of the slain in both the actions of this day are said to amount to six thousand. In this battle fell Herius Asinius, one of the principal commanders of the allies, who was probably the grandfather of the famous Asinius Polico.

Marius avoids a battle. Plot. in Mar.

This nation of the Marfi were very warlike; and it was a common saying at Rome, that they had never triumphed either over the Marfi, or without them. Perhaps that consideration made Marius the more cautious in attacking them. However that were, except on the occasions I have related, he tenaciously kept within his camp, without regarding either the complaints of his own soldiers, or the insults of the enemy. And one day when Pompeius Silo advanced within hearing, and cried out with a loud voice, *If you are a*
great

great General, Marius, why don't you fight? Marius answered, You should rather be asked, if you are a great General, why don't you force me to fight? A. R. 662. Ant. C. 90.

Plutarch mentions another action, in which Marius's soldiers behaved ill, and did not take an advantage given them by the enemy, so that the two armies retired back to back. Soon after Marius asked leave to quit the service, and returned to Rome, having lost much of his reputation. He pleaded the rheumatism, with which he was much afflicted, as the motive for his retreat; pretending, that he had supported his spirits a great while with a courage beyond his strength, and that his illness had at length become so excessive, that he could withstand it no longer. He retires with little glory.

Sertorius, though he had no command in chief, in this war, however signalized himself by a great number of actions worthy of remembrance. But Sallust himself complains of not being sufficiently informed of them; because at first the obscurity of the person who did them, and afterwards the malice of those who envied him, had buried them in oblivion. He was Quæstor this year, and had Gallia Cisalpina for his province. Having received orders to levy soldiers and make arms there, he acquitted himself of both commissions with an activity and vigour, which distinguished him highly from other persons of his years, who were generally voluptuous and indolent, and considered an office, as a title to make others take pains, and to dispense with an application of their own. Sertorius signalizes himself. Sallust: apud Gell. ii. 27. Plut. in Sertor.

He did not confine himself to those easy functions, which require care, but do not expose a person to any danger. He was present at several battles, wherein he exposed his person with the same bravery, of which he had given proofs in He loses an eye. His sentiments on that occasion,
his

A. R. 66.
A.D. C. 90.

his first campaigns. As he went to battle without sparing himself, he often received wounds, and one particular, by which he lost an eye. (a) But that deformity of his countenance was matter of joy and triumph to him. He said, (b) that others had not always the advantage of carrying marks of their valour about them; that they were forced to divest themselves of bracelets, crowns, and other military rewards, in order to shew them. But as for him, the proofs of his bravery accompanied him every where; and nobody could be a spectator of his disgrace, without being at the same time an admirer of his virtue. The people did him justice: and one day on his entering the theatre, he was received with applauses and acclamations, which the oldest Generals and most respected citizens did not always easily obtain.

Two slaves
save their
mistress at
the storm-
ing of Gru-
mentum.
Sen de
Ben. iii.
23.

Virtue is of all ranks and conditions; and after one of the greatest men Rome ever produced, I am not afraid to mention here an admirable action of two slaves. I cannot tell the exact time when it happened: but it undoubtedly was in the war I am now relating. The Roman besieged Grumentum * in Lucania; and when the city was reduced to the last extremity, two slaves escaped into the camp of the besiegers. Soon after the place was taken by storm, and plundered. The two slaves at this time ran to the house of their mistress, whom they seized with a kind of violence, and carried off, threatening her both with their words and gesture: and when they were asked who she was, they said she was their mis-

(a) Quo ille dehonestamen-
to corporis maximè lætabatur.
Sallust.

(b) Τὸς μὲν γὰρ ἄλλους ἐκ
ἀεὶ τὰ μαρτύρια τῆς ἀφισείων
περιφέρειν, ἀλλὰ καὶ ἀποτί-
θεσθαι σπέρματα καὶ δόρατα καὶ

σεφαίρας. αὐτὰ ἣ τὰ δ' ἀναγα-
θίας παραμένειν τὰ γ' ὠ-
ρίσματα, τὸς αὐτοὺς ἔχοντε
τὰ ἀρετῆς ἄμεινον καὶ τὴν συμφορὰς
θεατάς. Plut.

* This city was in the coun-
try now called Basilicata.

tress,

tress, and a most cruel mistress, upon whom they were going to take revenge for all the barbarous treatment they had suffered from her. In this manner they made her quit the city, and conveyed her to a safe retreat, where they concealed her with great care. Then, when the fury of the soldiery was over, and every thing quiet in the city, they made her return into it, and were ready to obey her as before. She gave them their liberty, which was the greatest reward in her power to bestow, but certainly extremely short of the service she had received. I resume the series of our history.

Cn. Pompeius Strabo had * Picenum for his province. He was not successful at first, as had happened to most of the Roman Generals in this war. Immediately after the massacre at Asculum, he attacked the place, and was repulsed with loss. Being afterwards attacked himself near the river Tenna †, by three Generals of the allies, Afranius, Ventidius, and Judacilius, he was defeated, and obliged to retire to the city of Eremo. He was besieged there by Afranius alone, the other two Italian Prætors having employment elsewhere. Pompeius kept a great while upon the defensive. But at length having advice that Sulpicius approached with a Roman army, he concerted a plan with him for attacking the enemy. At the time fixed he made a vigorous salley. Afranius, who thought he had only Pompeius to deal with, employed all his forces to repulse him. But whilst they were engaged with almost equal advantage, Sulpicius arrived, and set the camp of the allies on fire. The sight of the flames terrified the Italians, and to compleat their misfortune, Afranius being killed, the whole army broke and dispersed.

* Now called Marche d'Ancona.

† Now the Tingo.

A. R. 662. Those who could escape the victor, fled to Ascu-
 ANT. C. 90. lum; and Pompeius immediately invested that city.

The victory, which I have just related, restored the tranquillity of Rome. After that of the Consul Julius, the citizens had resumed the *toga* or habit of peace; this made the magistrates put on the robe *prætexta*, and assume the other ornaments of their dignity. Thus every thing returned to it's ancient order: and the war in the state it was, was considered only as a common war, that did not prevent the city from enjoying the sweets of peace.

*Freedom of
 Rome
 granted to
 such of the
 allies, as
 had con-
 tinued
 faithful.*

In the mean time a new event shewed the Romans, that they could not hope to extricate themselves out of danger solely by the force of arms. Most of the Umbrians, and some Tuscan states, quitted their alliance, and joined the rebels. The example might have fatal consequences: and the Romans apprehended, they should be left alone, if they persevered in refusing the general desire of Italy. The Consul Julius therefore, with the advice, and by the authority of the Senate, passed a law to grant the freedom of Rome to such of the allies, as had continued faithful hitherto. By this law Latium, and part of Tuscany and Umbria, at length acquired the right, that made them equal with the Romans. They adhered in consequence more firmly to the Commonwealth: and the other states of Italy also conceived hopes of sharing that privilege with them; at least by laying down their arms. And the war in reality was terminated only by this method. But to bring things to this point, much blood was still to be shed.

*Freedmen
 admitted
 into the
 land ser-
 vice.*

The greatness of the danger, and the scarcity of men, forced the Romans to admit freedmen into their land-forces, who till then had either been excluded, or very rarely employed. They raised
 twelve

twelve cohorts of them, whom they posted to guard the sea-coasts from Cumæ to Rome.

A. R. 662.
Ant. C. 90.

CN. POMPEIUS STRABO.
L. PORCIUS CATO.

A. R. 663.
Ant. C. 89.

Pompeius and Porcius had deserved the Consulship conferred upon them by considerable services. We have mentioned the victory, which the first gained over Afranius in Picenum; and Porcius towards the end of the preceding year had also defeated the states of Tuscany, who had revolted in a pitched battle.

Pompeius in his Consulship had confined himself particularly in carrying on the siege of Asculum, which, as I have said, he began before he was elected Consul. This siege was one of the most important operations of the war. The Romans were the more eager to take it, as it was this city which had given the signal of the revolt: and the allies defended it with no less vigour. Armies of seventy-five thousand Romans, and sixty thousand Italians, fought before Asculum to hasten, and prevent, the taking of it.

The Consul Pompeius presses the siege of Asculum.
Appian.

Vell. ii. 61.

The efforts of the allies could not make the Romans raise the siege; but they occasioned its continuing a great while: and it appears, that Pompeius left the command of it during some time to L. Julius, Consul of the preceding year, in order to keep the field himself, and oppose the different nations of the enemy. He gained a great victory over the Marfi. He reduced the Vestini * and Peligni to submit and lay down their arms. But we have few particulars of these facts. Seneca has preserved a very remarkable circumstance, which relates to the time of the reduction

He beats the Marfi, and reduces some neighbouring states.
Appian.

Senec de Benef. iii. 23.

* *The Vestiny inhabited the country upon the banks of the Ater-nus, a river now called Pescara in the Abruzzo.*

A. R. 663. of the Peligni. C. Vettius, who was of that na-
 Ant. C. 89. tion, and one of the principal Generals of the al-
The slave lies, had been taken prisoner, and was brought to
of Vettius the Consul. One of his slaves snatched the sol-
kills his dier's sword, who was dragging him along, and,
master, first killing his master, and then turning the
and after- point of it against himself, *It is time*, said he,
wards *that I should provide for myself. I have set my*
himself. *master at liberty.* On saying those words, he
 plunged the sword into his own breast and fell
 dead. "What (a) slave, cries Seneca, ever deli-
 vered his master in a more glorious manner?"
 But as to us, however glorious this action may be,
 the severity of the Christian Morality in respect to
 homicide does not permit us to praise it. And in-
 deed how many events might have delivered Vet-
 tius in a gentler and more happy manner?

The Consul L. Porcius, as well as his Colleague, carried on
Porcius is the war with success. He gained various advan-
killed in a tages over the Marfi, whom he seems to have
battle. made it his sole employment to subdue. But at
Young Ma- last, in attacking their camp near the lake * Fu-
rius is sus- cinus, he was called, and by his death gave the
pected of victory to the enemy. Orosius imputes his death
his death. to young Marius, who desired to revenge a pre-
 Oros. v. tended insult done by the Consul to his father.
 18. For Porcius, who had the same troops that old
 General had commanded the year before, had
 boasted, that *Marius had not done greater things*
than him. Those words were fatal to him, and
 in the heat of the battle an unseen stroke, but
 from the Roman Army, and according to the
 words of Orosius, from the hand of young Ma-
 rius, laid him dead at the foot of the enemy's in-
 trenchments. So black a crime would be incredi-

(a) Da mihi quemquam, qui magnificentius dominum ser-
 varit.

* Now called the lake of Celano.

ble, if that young man had not too fully proved in the sequel, by the most horrid cruelties, that he was capable of it. A. R. 663.
Ant. C. 89.

Dio tells us, that this Consul had enraged his soldiers against him by severe reproaches and haughty behaviour, which had even occasioned a sedition, in which he was very near perishing. The resentment of the troops may have been either the cause of Porcius's death, or the occasion of Marius's better concealing his guilt. Dio. apud
Valef.

Sylla signalized himself in this war above all the Roman Generals. I have related in the foregoing book, in what manner he compleated a victory left imperfect by Marius. This year is more productive of events glorious for him. He commanded, as the Consul Porcius's Lieutenant, a body of troops in Campania, where he destroyed the city of Stabiæ on the last day of April. From thence he marched to besiege Pompeii, a city situated at the mouth of the Sarno. Whilst he was employed at this siege, his forces were augmented in the manner I proceed to relate. Sylla de-
stroys Sta-
biæ, and
besieges
Pompeii.

The Romans had a fleet under the command of Posthumius Albinus. He was an haughty and violent man, who made his soldiers abhor him to such a degree, that they rose against him, and accusing him of treason and holding intelligence with the enemy, they stoned him to death. Sylla took upon him the command of these soldiers, who had imbrued their hands in the blood of their General, and incorporated them into his army, without punishing the crime they had lately committed. He palliated this bad indulgence with as bad an excuse; and said, that those troops would only act with more ardour, to expiate the crime they had committed by their services. But his real motives were ambition and self-interest. The enmity between him and Marius was then rose to excess; He takes
upon him
the com-
mand of
Postumi-
us's army,
and does
not re-
venge the
death of
that Gene-
ral killed
by his sol-
diers.
Liv. Epit.
lxxv.
Plut. in
Sylla.

A. R. 663.
Ant. C. 89.

excess ; and he proposed no less than to reduce his enemy to extremities, and to destroy him. Besides which, as the war with the allies drew towards an end, he aspired at having the command of that against Mithridates, for which preparations were making. With these views he applied himself in gaining the affection of the soldiers, even at the expence of the most inviolable laws of military discipline. And he was in effect the first Roman General, who set the pernicious example of attaching the troops to himself, to the prejudice of the Commonwealth, and to substitute the rights of his country to his private views, so that the soldiers under his command became the troops of Sylla, and not those of the Roman People. The ambitious conduct of this General will appear more fully in the sequel. For the present, he made himself really useful to the Commonwealth.

*He destroys
an army of
Samnites,
commanded
by Cluentius.
Appian.*

Cluentius, one of the Generals of the allies, came with a great army of the Samnites to the relief of the city of *Pompeii*, and boldly incamped at four hundred paces from the Romans. Sylla, who thought himself despised and insulted, moved to attack the enemy, though he had sent great part of his troops to forage. He had reason to repent his presumption, and was repulsed with loss. But he soon had his revenge : when his foragers had rejoined him, he attacked the enemy again, and Cluentius was defeated and obliged to retire.

This first advantage was not decisive, and the Italian General, having received a reinforcement of Gauls, returned to the charge. We have seen in the course of the Roman History, several single combats with Gauls, in which they were never successful. It here gives us another with the same effect. A Gaul of very great stature advanced
out

out of the line, and challenged the bravest of the Romans to fight. A moor was sent against him, who was as little as the other was big, and however killed his adversary. The consequence was as is natural on such events. The Gaul's death terrified those of his nation. They made a bad defence, were soon broke, and drew after them the rest of the army. Sylla's victory was complete: he took the enemy's camp, who continued flying, and did not believe themselves safe till they were near Nola. The victor pursued them thither: and without giving them any time, he attacked them again, and entirely ruined that army with its General, who was killed in the action. Appian makes the number of the dead in the first action amount to thirty thousand, and in this to twenty. And what is more surprising, and even incredible, according to Eutropius, Sylla did not lose a single man. But a greater authority than that of so mean a writer, is necessary to make us believe a fact, so remote from all probability.

Sylla had wrote in his memoirs, that his soldiers had honoured him at Nola with a crown *Obsidionalis*. This crown was not, like others, granted by the General to soldiers, who had distinguished themselves; but on the contrary conferred by the troops on their General, who had extricated them out of some great danger. It was only of turf: and the grass, of which it was formed, was to be taken only from the very spot, where the army had been surrounded by the enemy, and from which the wisdom and valour of the commander had brought it off. We do not see, from the facts which I have related after Appian, in what manner Sylla had deserved this crown. But we must ascribe that to the negligence of this author, and others, to whom we are obliged to have

A. R. 663.
Ant. C. 89.

He is honoured
with a
Corona
obsidionalis.
Plin. xxii.
6.

A. R. 667.
Ant. C. 89.

have recourse for these times. This crown was the greatest honour, that could be conferred upon a citizen: and Sylla, who was desirous to perpetuate an event so much to his glory, caused it to be painted in his country-house at Tusculum, which afterwards belonged to Cicero. (a) But as Pliny observes, it was in vain for the author of a proscription to take honour to himself from a *Corona obsidionalis*. He himself tore it from his head, when he afterwards destroyed a much greater number of citizens, than he had ever saved.

He reduces
the Hir-
pini.
Appian.

Sylla, after so great a victory, improved his advantages. He entered the country of the Hirpini: and the inhabitants of Eculanum, which was in a manner the capital, not surrendering soon enough, he made his troops plunder it. This example of severity intimidated the rest, and in a few days the whole province submitted.

He enters
Samnium,
and has
various
advanta-
ges.

From thence he marched to Samnium, where he was at first in a perplexing situation. He had entered a defile near the city of Esernia, having an army of Samnites commanded by Papius Mutilus to oppose him. Sylla was a man of presence of mind in difficulties. He managed in such a manner, that he had an interview with the General of the enemy, under pretext of negotiating an accommodation. Nothing was concluded in it. But the truce by a very natural effect occasioned a security amongst the Samnites, which lessened their attention and vigilance. The Roman took his advantage of this; and favoured by the silence and obscurity of the night, made his troops set out, leaving only one trumpet in his camp to

(a) Quid si verum est, hoc execrabiliorem eum dixerim: quandoquidem eam capiti suo proscriptione sua ipse de-

traxit, tanto paucioribus civium servatis, quam postea occisis.

found as usual the beginning of each watch, every three hours. At the fourth watch the trumpet himself withdrew to rejoin the army, which by this means got safely out of the defile. A. R. 663.
Ant. C. 89.

Sylla did not satisfy himself with only escaping the danger. Having marched round the camp of the Samnites, he attacked them in a part where he was least expected, defeated them and took their camp. Papius escaped wounded by Esernia. Sylla put an end to this glorious campaign by a considerable conquest. He attacked * Bovianum, a very considerable city, where the Samnites held their general assembly, and which was fortified with three citadels. He assaulted it in several places at the same time, and in three hours carried the place.

After so many great exploits Sylla returned to Rome, to stand for the Consulship, to which few candidates had ever offered themselves with the recommendation of such great and glorious services. He brought with him the most unexceptionable reputation. All the world considered him as a great warrior: his friends extolled him as the principal General of Rome; and even his enemies could not refuse him the title of successful Captain. He returns
to Rome to
stand for
the Consul-
ship.
Plut. in
Sylla.

He took no manner of offence at this language of his enemies. On the contrary, he was extremely delighted with passing for the favourite of fortune; whether that was out of ostentation, and to take honour to himself on the protection of heaven, or perhaps from conviction of mind. Plutarch repeats circumstances from Sylla's memoirs to this effect, which are entirely singular. He said in them, that he succeeded better in accidental enterprizes, than in those he had preme- He values
himself
upon being
called For-
tunate.

* Now Boiano in the county of Molise.

A. R. 663.
Ant. C. 89.

dictated, and intended to conduct prudentially. He confessed that he was more fortunate than capable in war; and advised Lucullus, to whom he dedicated them, to rely on nothing so much as on what the gods should inspire him with in dreams. All this seems to prove, that he actually believed in fortune. And the thing cannot appear so strange in so odd and capricious a genius as his. Plutarch in the same place gives us a description of him, which I ought not to omit to readers, who are desirous to know mankind well.

*Incon-
sistency of
his cha-
racter.*

He was inconsistent, and perpetually in contradiction to himself. He took away from some with violence, and bestowed upon others with profusion: he honoured persons without reason, and insulted in the same manner: he made his court with address to those of whom he had occasion; and behaved haughtily to such as stood in need of him; so that it was doubted, whether he was most proud or most a flatterer. He was the same unequal man in his resentments and revenge; sometimes he would inflict punishment for the slightest faults, and on other occasions suffered the greatest offences patiently: he would easily be reconciled to those, who had done him the most extreme injuries, and revenged the slightest imprudences with murder and confiscation of fortune. Perhaps, says Plutarch, this inequality of conduct in respect to those he hurt, might be explained, by saying, that his disposition and interest swayed him alternately, and that, though naturally inclined to revenge, he checked and moderated himself by reflexion, when the good of his affairs required it. And may not the same key solve most of his other inconsistencies? I return to the war with the allies, of which I have still some events to relate, all more and more to the disadvantage of the Italian league.

The

The Marfi, who had been one of its strongest supports, quitted it, being tired and subdued by their past losses, and the new ones they sustained from Muræna and Metellus Pius. The Peligni had also submitted, as I have related. The Romans in consequence being masters of Corfinium, which the rebels had made their metropolis, it was necessary to transfer the general council to Esernia, a city of the Samnites, who by the defection of the Marfi found themselves alone at the head of all the states, that persisted in their fidelity to the association. They elected five Prætors or Generals, amongst whom they gave the principal authority to Pompedius Silo. He deserved this preference by his ability in war, his courage, and especially, his tenaciousness in the revolt, of which himself had been the first author, and which could not make him abandon the example even of his own nation, that is, of the Marfi, who had lately made their submission. He assembled an army of thirty thousand foot and a thousand horse. And being reduced by necessity to try every kind of resource, he even gave slaves, who would join him; their liberty; and having drawn together about twenty thousand of them, he armed them in the best manner he could. With these troops he retarded for some time the entire ruin of his party.

In the mean time the siege of Asculum, which had continued great part of the year, at length ended to the advantage of the Romans. When the city was reduced to extremities, Judacilius, who was a native of it, tried a last effort to preserve it. He was one of the principal leaders of the Italians, a man of vigour and courage. For this purpose he drew together eight * cohorts, and

* The cohort usually consisted of five hundred men.

A. R. 663.
Ant. C. 89.

See Vol. V.
l. xvii.
§ 1.

beginning his march sent a courier to the Asculani, to advise them to watch his arrival, and to sally upon the besiegers, whilst he should attack their intrenchments on the other side. He was in hopes, that the Romans inclosed between two fires, might be put into confusion, and that he might perhaps have occasion to give them a great blow, and thereby force them to raise the siege. The plan was not ill conceived: but the inhabitants wanted courage; so that all Judacilius could do, was to break into the city with part of his followers. He reproached his countrymen in the warmest terms with their cowardice: and seeing that he had nothing farther to hope, he resolved to die: but first he determined to be revenged of his enemies, who had often taken pleasure in opposing his designs, and who just before had prevented the execution of his last orders. As he was strongest in the city, he caused them all to be seized and put to death. After having satiated his revenge, he thought it acting for his own glory, to revive the example set by Vibius Virius at the taking of Capua. He invited his friends to a great entertainment, and exhorted them to prevent with him the disaster of their common country by a voluntary death. Every one praised his courage, but none would imitate it. In consequence he took the poison: and as he had taken care beforehand to have a funeral pile erected, he caused himself to be carried to the top of it, and ordered his friends to set it on fire. Thus perished this brave man, seduced no doubt by the idea of glory, which the Pagan world annexed to self-murder. But, according to the mere lights of reason, what glory does a death deserve, that was of no utility to the publick and the common cause, and of which the whole fruit could only terminate in preserving the person, who killed himself,

himself, from the evils, which he dreads still more than death? A. R. 663.
Ant. C. 89.

Though the authors, who have spoke of the death of Judacilius, seem to place that event at the beginning of the siege, I have chose to relate at the end, because it did not seem probable in the least, that this General should have taken so desperate a resolution, if he had seen his country in a condition to make a longer resistance. I assure myself therefore, that the taking of Asculum soon followed his death, and that the despair of the leader, having occasioned that of the multitude, the city either surrendered at discretion, or being ill-defended by the discouraged inhabitants, was taken by storm. The Consul Pompeius made this unfortunate city an example of severity. The principal citizens, and all the officers of war were scourged with rods, and beheaded: he spared the lives of the rest, but deprived them of their slaves and all they possessed: the city itself was demolished to its foundation. In this manner the blood of the Roman citizens, who had been massacred there, at the beginning of the war, was revenged. App Oros.

Taking of
Asculum by
Cn. Pom-
peius.

Hitherto it had not been the custom to grant a triumph for having reconquered what had formerly belonged to the Commonwealth. However, Pompeius triumphed over the Asculans, and people of Picenum, the sixth day before the calends of January, that is, the * 25th of December. Amongst the prisoners, which he led in triumph, several writers have mentioned P. Ventidius, who undoubtedly was the son of him, whom we have named amongst the most illustrious leaders of Triumph of
Pompeius,
in which
Ventidius
is led cap-
tive.
Fasti Capit
Vell. ii.
65.
Plin. vii.
43.
A. Gell.
xv. 4.

* In Numa's calendar, which the Romans then followed, December had only 29 days.

A. R. 663.
Ant. C. 89.

the allies. This same Ventidius, now led in triumph, will triumph himself in fifty years: a memorable example of the vicissitude and instability of all human things in good as well as ill.

Oros.

Pompeius had caused all the plunder of Asculum to be sold: but though the publick treasury was exhausted, he carried no part of the money

Plut.

Pomp.

he had raised by that sale into it. He was a man, whose ability in war constituted his sole praise: for the rest he was excessively avaricious, and little scrupulous in respect to the means of enriching himself. And this is not the only vice with which history reproaches him, as we shall have occasion to observe in the sequel.

Pompedius enters Bovianum: is defeated and killed

A. R. 664.

Jul Obseq.

The Italian league was extremely weakened, and the following year lost the person, who was its soul and first mover, Pompedius Silo. He had however some success at first, and had even retaken the city of Bovianum. Intent upon pursuing the system he had laid down to himself, of setting his Commonwealth on a level with that of Rome, he was desirous to triumph, and actually did triumph in his new conquest. But superstitious antiquity has observed, that he thereby gave an omen of his future defeat, because it was into the victorious city that he entered in triumph, and not into one conquered. Soon after he lost a great battle, in which he was killed: and with him expired the whole glory of his party, which from thenceforth only dwindled.

Embassy of the allies to Mithridates, without effect.

Diod.

Eclog.

l. xxxvii.

It seems very probable to me, that the embassy sent by the allies to Mithridates, to implore his aid, and invite him to unite with them against Rome, is to be ascribed to this obstinate enemy of the Roman name. For the rest, if the author of this deliberation is not certainly known, the fact is however certain from Diodorus Siculus. The

hatred

CONTENTS.

SECT. III.

Birth of Cæsar. Antonius had triumphed over the Pirates. Aquillius, accused of extortion, is saved by the eloquence of Antonius. Oppressive exactions of the Roman Magistrates in the provinces. Admirable conduct of Scævola, Proconsul of Asia. Human victims prohibited. Duronius is expelled the Senate for a very remarkable reason. The kingdom of Cyrene left to the Romans by will Sertorius, a military Tribune, signalizes himself in Spain. Praise of Crassus, and Scævola. Law passed by the Consuls to prevent usurping the freedom of Rome without right. Scævola renounces the government of the province fallen to him by lot. Integrity and noble confidence of Crassus. Sedition of Norbanus. He is summoned to take his trial. Character of Sulpicius. Wise advice given him by Antonius. Prætorship of Sylla. He exhibits a shew of a combat, with an hundred lions unchained. Decree of the Censors Crassus and Domitius against the Latin rhetoricians. Debates between the Censors. Luxury of the orator Crassus. Unjust condemnation of Rutilius. He goes into voluntary banishment. He is invited to return to Rome by Sylla, and refuses. He had made himself master of all polite knowledge,

289

C O N T E N T S.

B O O K XXXI.

S E C T. I.

War with the allies. Its nature, origin, and duration. Ardent desire of the allies to have the freedom of Rome. The Senators, to recover the administration of justice, support themselves with the Tribune Drusus. That Tribune labours to gain the People by laws favourable to the multitude; and the allies, by the promise of making them citizens. The Consul Philippus opposes the laws of Drusus. Cæpio, another opponent of Drusus. Violence of Drusus against Cæpio and Philippus. The laws pass. A new law of Drusus to divide the administration of justice between the Senators and Knights. Perplexity of Drusus, who cannot keep his promise with the allies. Inflexible constancy of Cato whilst only an infant. Proceedings of the allies. Slandering of Philippus injurious to the Senate. Contest on that head between Crassus and Philippus. Death of Crassus. Cicero's reflexion on his death. Death of Drusus. His character. All his laws are annulled. Law passed by Varius for informing against those, who had favoured the allies. Cotta accused, goes into voluntary banishment. Scaurus extricates himself out of danger by his constancy and haughtiness. Varius himself, condemned by his own law, perishes miserably. The allies prepare for a revolt. They form themselves into a republick. Massacre at Asculum. Open revolt of the states of Italy. Embassy of the allies to the Romans, before they enter into the war. They have the advantage at first. Unjust suspicions of the Consul Rutilius against many

C O N T E N T S.

many of the Nobility. The execution of the law *Varia* suspended. *Marius* advises the Consul to decline a battle ineffectually. *Rutilius* is defeated and killed. Grief and consternation of Rome. *Cæpio*, deceived by *Pompedius*, perishes in an ambuscade with a great part of his army. Victory of the Consul *Julius*, which makes the Romans resume the habits of peace. Victory began by *Marius*, and compleated by *Sylla*. *Marius* declines a battle. He retires with little glory. *Sertorius* signalizes himself. He loses an eye by a wound in battle. His sentiments on that occasion. Two slaves save their mistress at the storming of *Grumentum*. Victory of *Cn. Pompeius*, in consequence of which the magistrates of Rome resume the ornaments of their dignities. Freedom of Rome granted to such of the allies as had continued faithful. Freedmen admitted into the land-service. The Consul *Pompeius* presses the siege of *Asculum*. He beats the *Marsi*, and subjects other neighbouring people. A slave of *Vettius* kills his master, and then himself. The Consul *Porcius* is killed in a battle. Young *Marius* is suspected of being the author of his death. *Sylla* destroys *Stabia*, and besieges *Pompeii*. He takes upon him the command of *Postumius's* army, and does not revenge the death of that General murdered by his soldiers. He destroys an army of the *Samnites* commanded by *Cluentius*. He is honoured with a *Corona obsidionalis*. He conquers the *Hirpini*. He enters *Samnium*, and gains several advantages there. He returns to Rome to stand for the Consulship. He glories in the title of *Fortunate* [*Fælix*] Inconsistency of his character. The *Marsi* lay down their arms. General council of the league transferred to *Esernia*. *Judacilius*, despairing to save his country *Asculum*, poisons himself. *Asculum*

C O N T E N T S.

taken by Cn. Pompeius. Triumph of Cn. Pompeius, in which Ventidius is led captive. Pompeius enters Bovianum in triumph, and is defeated and killed. Embassy of the allies to Mithridates, to no purpose. The War of the allies subsists only in a languid manner. Eight new Tribes formed by the new citizens. Censors. Asellio Prætor of the city assassinated in the Forum by the faction of the rich, who lend money at usury. Law Plautia, de vi publica. By another law of the same Tribune, the Senators are restored to a share in the administration of justice. Sylla is elected Consul. Debate on that subject between him and C. Cæsar,

321

L I S T

hatred of these Italians must have rose to madness, to have induced them to seek so remote a protection, and one which ought to have been suspected and odious to them, from so many causes: and hence it appears, that it is after strict historical truth one of our greatest poets introduces Mithridates saying to his children:

*Non, Princes, ce n'est point au bout de l'Univers, Raine.
Que Rome fait sentir tout le poids de ses fers :
Et de pres inspirant les haines les plus fortes,
Tes plus grands ennemis, Rome, sont a tes portes.*

In English,

*No, 'tis not only at the world's extremities,
Rome makes the nations feel her iron yoke ;
At home they sigh, and they abhor her sway,
And her worst enemies are at her gates.*

The King of Pontus did not afford much attention to this embassy, and replied coldly, that when he should have terminated the affairs of Asia, which actually employed him, he would go and join his forces with those of the Italians.

This was the last considerable step taken by the rebels. From thenceforth, though the Lucanians and Samnites continued still in arms, I find no more events, that directly and solely belong to the war with the allies. They no longer make a party alone, but are confounded with those of Marius and Cinna. *The war of the allies comes to nothing.*

Almost all the states of Italy had then the freedom of Rome. For it had been granted them in proportion as they laid down their arms. From hence arose a prodigious number of new citizens, which extremely perplexed Rome. As (a) their *Eight new Tribes formed for the new citizens. Appian.*

(a) Ne potentia eorum, & multitudo veterum civium dignitatem frangeret, plusque possent recepti in beneficium quam auctores beneficii. *Vell.* ii. 20.

C O N T E N T S.

taken by Cn. Pompeius. Triumph of Cn. Pompeius, in which Ventidius is led captive. Pompeius enters Bovianum in triumph, and is defeated and killed. Embassy of the allies to Mithridates, to no purpose. The War of the allies subsists only in a languid manner. Eight new Tribes formed by the new citizens. Censors. Asellio Prætor of the city assassinated in the Forum by the faction of the rich, who lend money at usury. Law Plautia, de vi publica. By another law of the same Tribune, the Senators are restored to a share in the administration of justice. Sylla is elected Consul. Debate on that subject between him and C. Cæsar,

321

L I S T

hatred of these Italians must have rose to madness, to have induced them to seek so remote a protection, and one which ought to have been suspected and odious to them, from so many causes: and hence it appears, that it is after strict historical truth one of our greatest poets introduces Mithridates saying to his children:

A. R. 664.
Ant. C. 88.

*Non, Princes, ce n'est point au bout de l'Univers, Raine.
Que Rome fait sentir tout le poids de ses fers :
Et de pres inspirant les haines les plus fortes,
Tes plus grands ennemis, Rome, sont a tes portes.*

In English,

*No, 'tis not only at the world's extremities,
Rome makes the nations feel her iron yoke ;
At home they sigh, and they abhor her sway,
And her worst enemies are at her gates.*

The King of Pontus did not afford much attention to this embassy, and replied coldly, that when he should have terminated the affairs of Asia, which actually employed him, he would go and join his forces with those of the Italians.

This was the last considerable step taken by the rebels. From thenceforth, though the Lucanians and Samnites continued still in arms, I find no more events, that directly and solely belong to the war with the allies. They no longer make a party alone, but are confounded with those of Marius and Cinna. *The war of the allies comes to nothing.*

Almost all the states of Italy had then the freedom of Rome. For it had been granted them in proportion as they laid down their arms. From hence arose a prodigious number of new citizens, which extremely perplexed Rome. As (a) their Appian. *Eight new Tribes formed for the new citizens.*

(a) Ne potentia eorum, & multitudo veterum civium dignitatem frangeret, plusque possent recepti in beneficium quam auctores beneficii. Vell. ii. 20.

A. R. 664.
A. C. 88.

multitude was immense, to distribute them into the five and thirty Tribes, was making them masters of every thing; it was annulling all the dignity and power of the ancient citizens; and these new comers adopted through favour would have crushed those, from whom they held their privilege. It was therefore resolved to form eight new Tribes, in which all the new citizens should be included. This plan, copied from that of King * Servius Tullius, in the establishment and distribution of the centuries, remedied all inconveniences. The old citizens entirely retained their superiority, as being much less in number, they had thirty-five voices, whilst the others had but eight: and besides, as these new Tribes were to be only called to vote last, it was natural, that the majority should be very frequently formed before it came to their turn to give their suffrages. The allies, now become citizens, acquiesced at that time in every thing; whether they did not perceive the great advantage, that regulation gave the ancient citizens over them, or were satisfied with acquiring the freedom of Rome at any rate whatsoever. It is probable, that in order to establish this, two Censors were created in the year of the Consulship of Cn. Pompeius, who were P. Crassus, and L. Julius Cæsar Consul the year before. Nothing else, that passed in the Censorship, except that they made some decrees against the luxury of the table, is come down to us.

• See Rom. Hist. Vol. I. 1. 1.
§ 6.

A R 663.
Censors.

Asellio
Priætor of
Rome as-
sassinated
in the fo-
rum by the
faction of
the rich,
who lent
money.

This same year 663, a crime was committed in the publick forum of Rome, unheard of before, and which demonstrated, that the laws had lost their whole credit and authority, and were reduced to give way to force, which took place of right and justice. Debts had in all times occasioned great troubles at Rome. We have frequently mentioned them in this history. The avidity of those

those who lent money, was not contented with the interest allowed by the Roman laws, and exacted greater. The debtors were entirely ruined, and did not pay. This evil was excessively felt at the time of which we are speaking, because the circumstances of a war so near home, so dangerous, and which required such great expences, had made money very scarce, and had ruined the fortunes of a great number of particulars. The merciful creditors however abated nothing of their rigour: so that the debtors called out for the protection of the laws, and pretended not only to a right to be allowed delays of payment on account of the bad state of their affairs, but to have their creditors treated as violators of the laws, in exacting greater interests than they allowed.

A. Sempronius Asellio, Prætor of the city, and in that capacity supreme judge of this kind of contests, endeavoured to moderate the affair, and put an end to the quarrel by the method of accommodation. But that not being possible, as he was a just man, he opened the tribunals to the debtors, and caused justice to be done them. Upon this the creditors became furious, and not being able to overcome the Magistrate's constancy, they resolved to rid themselves of him; and executed their design with incredible audaciousness. Supported by L. Cassius Tribune of the People, (for it was necessary, that the Tribunes should have a share in all the violences committed at Rome) they attacked Asellio in the forum itself, whilst he was sacrificing. The unfortunate Prætor finding himself struck by a stone, and seeing an enraged multitude around him, threw down the sacred cup, which he held in his hand, and endeavoured to fly to the temple of Vesta. But they interposed, and forced him to retire into a publick house, where they knocked him on the head. Some of those who pursued

A. R. 663.
Ant. C. 89.

pursued him, and who had seen him running towards Vesta's temple, believed he had got into it, and were not afraid to force the barriers of that sacred asylum. Notwithstanding the most sacred laws, which did not permit men to enter it, they made the strictest search in places, that religion ought to have made inviolable to them. Thus perished a Prætor, actually employed at a sacrifice, dressed in the sacred ornaments, and that at noon-day, in the publick forum. And the authors of this enormous crime had combined together in such a manner, and known so well how to shut all mouths, that could accuse them, that it was not possible to find proofs against any one of them. The Senate published a decree in vain, to invite all such as had any knowledge of the guilty, to declare what they knew, promising them rewards; liberty, if they were slaves; a sum of money, if free; and pardon, if accomplices. Nobody appeared to make the discovery; and so atrocious a crime remained unpunished. What justice could private persons expect in a city, where it had cost a magistrate his life, for having done justice? Did not Rome in consequence fall back into the confusion, ascribed by the poets to the first men in the savage state of nature, before the institution of societies?

Law

Platia de
vi publica.

It was probably to prevent the like excesses for the future, that M. Plautius Sylvanus, Tribune of the people, proposed and passed a law concerning publick violence, *de vi publica*. The Civilians differ in their construction of those words. Let it suffice to observe, that the force of them intends all violence, contrary to the peace and good order of the publick: and that idea includes many things, and may have very great extent.

*LIST of the Years and Consuls contained in
this volume.*

P. MUCIUS SCÆVOLA. L. CALPURNIUS PISO FRUGI.	A. R. 619. Ant.C. 133.
P. POPILIUS LÆNAS. P. RUPILIUS.	A. R. 620. Ant. C. 132.
P. LICINIUS CRASSUS MUCIANUS. L. VALERIUS FLACCUS.	A. R. 621. Ant.C. 131.
M. PERPENNA. C. CLAUDIUS PULCHER.	A. R. 622. Ant.C. 130.
C. SEMPRONIUS TUDITANUS. M. AQUILLIUS.	A. R. 623. Ant.C. 129.
CN. OCTAVIUS. T. ANNIUS RUFUS.	A. R. 624. Ant.C. 128.
L. CASSIUS LONGINUS. L. CORNELIUS CINNA.	A. R. 625. Ant.C. 127.
M. ÆMILIUS LEPIDUS. L. AURELIUS ORESTES.	A. R. 626. Ant.C. 126.
M. PLAUTIUS HYPSEUS. M. FULVIUS FLACCUS.	A. R. 627. Ant.C. 125.
C. CASSIUS LONGINUS. C. SEXTIUS CALVINUS.	A. R. 628. Ant.C. 124.
Q. CÆCILIUS METELLUS BALEAR. T. QUINTIUS FLAMININUS.	A. R. 629. Ant.C. 123.
CN.	

L I S T of the CONSULS.

A. R. 630.
Ant. C. 122.

CN DOMITIUS AHENOBARBUS.
C. FANNIUS.

A. R. 631.
Ant. C. 121.

Q. FABIUS MAXIMUS ALLOBROGICUS.
L. OPIMIUS.

A. R. 632.
Ant. C. 120.

P. MANILIUS.
C. PAPIRIUS CARBO.

A. R. 633.
Ant. C. 119.

L. CÆCILIUS METELLUS CALVUS.
L. AURELIUS COTTA.

A. R. 634.
Ant. C. 118.

M. PORTIUS CATO.
Q. MARCIUS REX.

A. R. 635.
Ant. C. 117.

L. CÆCILIUS METELLUS DALMAT.
Q. MUCIUS SCÆVOLA.

A. R. 636.
Ant. C. 116.

C. LICINIUS GETA.
Q. FABIUS MAXIMUS EBURNUS.

A. R. 637.
Ant. C. 115.

M. ÆMILIUS SCAURUS.
M. CÆCILIUS METELLUS.

A. R. 638.
Ant. C. 114.

M'. ACILIUS BALBUS.
C. PORCIUS CATO.

A. R. 639.
Ant. C. 113.

C. CÆCILIUS METELLUS CAPRARIUS.
CN. PAPIRIUS CARBO.

A. R. 640.
Ant. C. 112.

M. LIVIUS DRUSUS.
L. CALPURNIUS PISO CÆSONINUS.

A. R. 641.
Ant. C. 111.

P. CORNELIUS SCIPIO NASICA.
L. CALPURNIUS BESTIA.

A. R. 642.
Ant. C. 110.

M. MINUCIUS RUFUS.
SP. POSTUMIUS ALBINUS.

Q. CÆ.

L I S T of the CONSULS.

Q. CÆCILIUS METELLUS NUMID.
M. JUNIUS SILANUS.

A. R. 643.
Ant.C.109.

SERVIUS SULPICIUS GALBA.
M. AURELIUS SCAURUS.

A. R. 644.
Ant.C.108.

L. CASSIUS LONGINUS.
C. MARIUS.

A. R. 645.
Ant. C.107.

C. ATILIUS SERRANUS.
Q. SERVILIUS CÆPIO.

A. R. 646.
Ant.C.106.

P. RUTILIUS RUFUS.
CN. MALLIUS.

A. R. 647.
Ant. C.105.

C. MARIUS II.
C. FLAVIUS FIMBRIA.

A. R. 648.
Ant.C.104.

C. MARIUS III.
L. AURELIUS ORESTES.

A. R. 649.
Ant.C.103.

C. MARIUS IV.
Q. LUTANIUS CATULUS.

A. R. 650.
Ant.C.102.

C. MARIUS V.
M. AQUILIUS.

A. R. 651.
Ant. C.101.

C. MARIUS VI.
L. VALERIUS FLACCUS.

A. R. 652.
Ant.C.100.

M. ANTONIUS.
A. POSTUMIUS ALBINUS.

A. R. 653.
Ant. C. 99.

Q. CÆCILIUS METELLUS NEPOS.
T. DIDIUS.

A. R. 654.
Ant. C. 98.

CN. CORNELIUS LENTULUS.
P. LICINIUS CRASSUS.

A. R. 655.
Ant. C. 97.

CN.

L I S T of the CONSULS.

A. R. 656.
Ant. C. 96.

CN. DOMITIUS AHENOBARBUS.
C. CASSIUS LONGINUS.

A. R. 657.
Ant. C. 95.

L. LICINIUS CRASSUS.
Q. MUCIUS SCÆVOLA.

A. R. 658.
Ant. C. 94.

C. COELIUS CALDUS.
L. DOMITIUS AHENOBARBUS.

A. R. 659.
Ant. C. 93.

C. VALERIUS FLACCUS.
M. HERENNIUS.

A. R. 660.
Ant. C. 92.

C. CLAUDIUS PULCHER.
M. PERPENNA.

A. R. 661.
Ant. C. 91.

L. MARCIUS PHILIPPUS.
SEX. JULIUS CÆSAR.

A. R. 662.
Ant. C. 90.

L. JULIUS CÆSAR.
P. RUTILIUS LUPUS.

A. R. 663.
Ant. C. 89.

CN. POMPEIUS STRABO.
P. PORCIUS CATO.

The same Tribune of the People reinstated the Senators in a share of the administration of justice. A. R. 663. Ant. C. 89. By another law of the same Tribune, the Senators are restored to share in the administration of justice. Cæpio and Drusus had attempted the same thing, but ineffectually: and the Knights had been the sole judges since the law of C. Gracchus. Plautius gave a new turn to that he proposed, which perhaps conduced to its passing with more ease. He decreed, that each Tribe should nominate fifteen citizens every year to act as judges. According to this plan, the judges might be indifferently either Senators, Knights, or even of the order of the People. The law was accepted, and was in force till Sylla's Dictatorship. Ascon in Orat. pro. Com.

To conclude what remains of the events of the year 663, I have only to speak of the election of the Consuls. I have said, that Sylla was returned to Rome. His services spoke highly in his favour. He however had a competitor, it cost him great pains to overcome. This was C. Cæsar, the brother of L. Cæsar, who had been Consul the first year of the war with the allies, and was then Censor. He was also brother by the mother side to Catulus, who conquered the Cimbri. Supported by the credit of two such illustrious brothers, and with abundance of personal merit, he thought he might set himself above rules, and pretend to the Consulship, though he had only been Ædile and not Prætor. Ascon. in Or. pro Scauro. It is probable that he was supported by * Marius, who was for excluding Sylla. For as Sylla and Cæsar were both Patricians, they could not be Consuls together.

P. Sulpicius, the young orator, of whom we have spoke on the occasion of the trial of Norbanus, being then Tribune, opposed the irregular

* Diodorus Siculus, who is the only author that mentions Marius in this affair, says, *that he acted against Cæsar. But Sylla's competitor could not have Marius against him.*

A. R. 663.
Ant. C. 89.

standing of C. Cæsar, who however was his friend. They were both eloquent, but in a quite different manner. Vehemence constituted the character of Sulpicius, as we have said. * Cæsar had pleasantry, and the graces. His stile had the most delightful urbanity, and never man knew better how to season his discourse with salt and humour: but he wanted force and spirit. He however shewed both on the occasion, of which we are speaking, as well as his adversary. Speeches were made on both sides before the people, not without debates and sedition, At length C. Cæsar was obliged to give way: and Sylla was elected Consul with Q Pompeius Rufus.

The success of Sulpicius in this affair flushed and ruined him. We shall see him next year turn again in favour of Marius against Sylla, become one of the principal causes of the publick calamities, and at length drew an unhappy death upon himself.

* C. Julius orator fuit minimè ille quidem vehemens: sed nemo unquam urbanitate,

nemo lepore, nemo suavitate conditior. *Cic. Bruto. n. 177.*

End of Vol. IX.



MAP OF THE ROMAN PROVINCE IN GAUL,

For M^r ROLLIN'S Roman History, continued by M^r CREVIER.

By M^r D'ANVILLE Geographer to the K. of France, 1743.

